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## Editor's note

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The South African elections of 22 April, 2009, the fourth open elections in the country's history, are now a thing of the past, and the outcome of these elections will determine South Africa's future for the next five years.

The newly elected political leadership of the country will set new policies that will most certainly shape South Africa's development trajectory, as it attempts to speed up the delivery of services and to raise the standard of living for the majority of the population. Moreover, new government policies are also likely to shape South Africa's relations with its SADC neighbours and with Africa and the rest of the world more broadly. It is for this reason that the Centre for Policy Studies devotes this issue of **Synopsis** to the National elections of 2009.

Five papers cover various aspects of the South African elections and the implications of these elections. Fiona White's paper looks in-depth at those factors that shaped the ANC's victory in 2009. She argues that factors such as identity politics and loyalty to the ANC as the organisation that freed South Africans from the apartheid system; the failure of opposition parties to focus on policy issues and to express alternative policy choices vividly to the majority of voters; the Jacob Zuma phenomenon, and the ANC track record in improving the lives of South Africans, were all powerful factors that gave the ANC another convincing victory at the polls.

Thabo Rapoo explores the implications of the 2009 elections for provincial government. The article suggests that the importance of the provinces, as a tier of government responsible for the delivery of services, has diminished over time and that the prospects of this decline being reversed under the new Zuma administration are slim. The passionate ideological debates about the role of the provinces in South Africa's governance architecture ended with the Mbeki era, as power was centralised at the national level. Under President Jacob Zuma, it is likely that the same trend of diminishing the role of provincial government will intensify. But more critically, as greater emphasis is likely to be placed on the administrative aspects of policy implementation and service delivery at sub-national level, the provinces are likely to play more of a facilitative role on behalf of central government than as autonomous democratic political entities.

In addition, the establishment of a powerful Planning Commission, together with the Ministry for Performance Monitoring and Evaluation may further accelerate the diminishing importance of provincial government.

Two papers cover specific important sub-themes of youth and gender. Richards and Zakwe focus on the meaning of the 2009 elections for young people in South Africa. These elections have not inspired young people to register in hugely increased numbers compared to 2004. Though these elections were seen as potentially watershed elections marked by political developments such as a new ANC leadership, a rebranded official opposition Democratic Alliance and the formation of COPE (Congress of the People) a new political party, to appeal to many South Africans of all race groups, the authors argue that the parties failed to adequately capture the imagination of young people. A sizeable number of the youth chose not to register, while the majority of those who did, continued to place their trust in the ruling party.

Lebogang Mokwena argues that political parties' manifestos lack depth in their attempt to address issues of concern for rural women. In particular, Mokwena highlights the failure of party manifestos to address the plight of rural women in respect of employment and job creation. The failure of political parties to differentiate between categories of women in South Africa, and to suggest substantive policy interventions that advance the different needs and interests of women, was a major shortcoming in their campaigns.

In the final article, Thabo Rapoo argues that given the national prioritisation of performance monitoring and evaluation to achieve service delivery targets, provincial legislatures, also mandated to carry out this function, will be under more political pressure to do this effectively, unlike in the previous term of office, where less emphasis was placed on this aspect of governance. However the smaller provincial legislatures face the structural constraint of being too small and will not be in a position to fulfil legislative oversight functions, an integral part of which is performance monitoring and evaluation.

## The 2009 elections: Understanding the ANC's dominance

*Fiona White, Senior Researcher, CPS*

The 2009 election year was destined to yield great advances for South African democracy. On the one hand it was hoped the fourth set of free and fair elections would provide meaningful electoral competition and a real threat to the dominance of the African National Congress (ANC). On the other, it was hoped that voters would look beyond history and identity in their party choice. Neither of these hopes materialised in any significant way; instead the ANC returned to government with 65.9 per cent of the vote.<sup>1</sup> Why did this happen?



Many argue that the past 15 years have not brought substantial economic or social improvement to a large number of South African citizens. Widespread protests about service delivery demonstrate that some voters hold the view that the ANC has not sufficiently addressed socio-economic inequality. High unemployment, entrenched rural poverty, unreliable service delivery, an inadequate health system, uncontrolled crime, and a nearly-failed state on South Africa's border have left the ANC with a tainted image. As one newspaper explains, "South Africa's problems are gigantic... About a fifth of the work force some estimates say 40 per cent, is jobless. AIDS takes 1000 lives a day. Fifty homicides a day make crime a national crisis."<sup>2</sup> These are not simply the concerns of political analysts and journalists. South Africa has one of the highest rates of civic protest in the world. Recent years have seen an increase in nationwide social protests, which are often violent and related to poor municipal service delivery.<sup>3</sup> Government records show that in 2004/2005 there were 5800 nationwide protests, in 2005/6 this had nearly doubled to 10 763.<sup>4</sup> Coupled with the patchy delivery track record of the ANC is the impression created that its leaders are implicated in corruption. The curtailed corruption trial of the ANC president, now president of the country, Jacob Zuma, exemplifies this concern. It is an exceptional event for a party to win an election, let alone with more than 65 per cent of the poll, when their leader has previously been removed from office, been on trial for rape and acquitted, and faced charges for numerous counts of corruption and fraud. In an environment where the governing party has clearly not 'delivered' for many, and where its leader has faced charges of corruption and rape, how is it still able to win such a decisive victory at the polls?

## Identity and history

It is notoriously difficult to assess why voters choose the parties they do. In 1999 the Human Sciences Research Council conducted extensive surveys in an attempt to understand the motivations behind voting behaviour in South Africa. When asked about their reasons for supporting particular parties voters' responses indicated that race and identity do not play an explicit role in their voting decisions. They devised their own reasons, chief of which was a 'better life in South Africa'. The next most important reason for choosing a party was 'for improvement'. Although these categories were chosen by 32.6 per cent of the respondents, both these concepts are fairly vacuous, and neither tells us much about the real reasons behind the choice of party. A closer look at the study reveals other motivations, such as 'trusts/likes party', the party 'fought for freedom', and 'race identity'. Together these three categories were chosen by 19.7 per cent of the respondents. Only 7.7 per cent selected their parties based on 'good policies' or 'good promises'.<sup>5</sup> This implies that citizens are swayed in their voting choices by identity and historical allegiance, rather than by policy proposals or party manifestos.

For the past two decades political analysts have discussed how South African elections have not been won on policy issues and manifestos, but on identity politics and historical allegiances.<sup>6</sup> Voters have not examined party manifestos or policies when making their choices, but rather party identity, including race, religion and language. This is most likely one key explanation for why the ANC maintained its majority. Pre-election polls demonstrated that voting continued to be mainly race-based, with 78.8 per cent of black voters supporting the ANC, and the majority of the Democratic Alliance's (DA) votes come from whites (59.8 per cent of whites sampled), coloureds (35.1 per cent) and Indians (29.6

per cent). Approximately 22.2 per cent of coloureds and 13.7 per cent of whites surveyed indicated they would vote for the Congress of the People (COPE) which suggests that COPE may be the only party to break racial patterns of electoral support.<sup>7</sup>

The ANC's victory in KwaZulu-Natal highlights the importance of ethnic identity in explaining its victory. Over the past few years, Jacob Zuma, leader of the ANC, and now president of the country, has actively positioned himself as a Zulu man, to the extent that his supporters wear t-shirts with the slogan '100% Zulu Boy'. In 2009 the ANC won 62.95 per cent of the provincial vote, compared to 2004, when it gained 46.98 per cent. This almost 16 per cent increase in one province contributed significantly to the ANC's national victory. It is very probable that a far greater number of KwaZulu-Natal voters supported the ANC this time round because they identified with the ethnicity of the ANC's leader.

It is important to note that voting along identity lines is not necessarily harmful for democracy. Indeed, as one analyst points out, it is prejudicial to view voting for identities as "primitive, a sign that we continuously fall short of the North American or Western European democratic norm."<sup>8</sup> Voting along identity lines can simply indicate that citizens believe a certain type of party, with a similar belief system (religious identity) or led by leaders of a similar demographic (race identity) or speaking a similar language may represent their interests best, and that that party will best understand their needs. Where the vote is seen as an expression of one's identity this may, in fact, strengthen the number of people casting their vote; to vote is to assert who you are.

Nonetheless, choosing your party along identity lines does imply that citizens are either not swayed by policy issues, or that they believe the party they identify with will promote policies that further their interests. Either way this can be troubling for a new democracy. If voters do not question who they vote for, but support a party regardless of its policies, the party is left unchecked. In South Africa's case, if the electorate continues to vote for the ANC, based on identity not policy, they will not threaten the rule of a dominant party, so opening themselves up to abuse of the state by the ruling party. If voting along identity lines can hinder the strengthening of a democracy, why do voters do it?

## Where was the policy debate?

First, and significantly for a new democracy, political parties did little to draw the voter's attention away from identity and towards policy. It could be argued that political parties have the responsibility to foster policy debate. Perhaps in these elections it was political parties who promoted the idea of identity voting and did too little to promote their policies and programmes. Election posters, in particular, were narrowly focused and reflected no policy agenda. Slogans such as 'vote to win' from the DA, 'together we can do more' from the ANC, and 'vote COPE' say nothing to the voters. Radio debates have been slightly more enlightening, but again policy discussions too quickly fall victim to identity or personal feuds. For example, in a radio debate on SAFM between the DA's leader Helen Zille and leader of COSATU in the Western Cape, Tony Ehrenreich, attention was focused on what school Zille's children attended in order to prove she didn't identify with the poor.<sup>9</sup> This attempt at mud-slinging on side issues detracts from the opportunity for voters to debate the



real challenges facing the country and make informed decisions about which parties will follow policies they identify with.

The practice of political parties focusing on identity issues, including race, religion and ethnicity, rather than policy in their campaigning, is not new. The Inkatha Freedom Party (IFP) for example, is an explicitly Zulu-based party and has historically appealed to Zulu nationalism. Religious parties such as the United Christian Democratic Party (UCDP) are obviously identity-focused; however, UCDP leader, Lucas Mangope, has taken identity issues further. In past elections he exploited ethnic divisions by appealing to Setswana-speaking citizens, describing the ANC as 'Xhosa-led'.<sup>10</sup> The DA has also, in past elections, used a 'swart gevaar'<sup>11</sup> tactic to frighten minority races into voting for them. Smaller parties too, such as the Minority Front, also explicitly appeal to a single identity-based constituency, in this example, Indian communities, primarily in Kwa-Zulu Natal.

A second reason voters were drawn away from policy towards identity was the emergence of new parties that focus on specific identity issues. The gender-focused Women's Front is a prime example. The message a party such as Women's Front sends out, even if unintentional, is 'vote for us because you are a woman', not because of the ideals you may subscribe to. There is nothing inherently wrong with identity-based parties, particularly where they offer a coherent set of policies that will meet the needs of their constituency, but these policies are often lost in the small print. Voters have little opportunity to engage with the content of the policy options they support because this is lost in the 'big message' which focuses on identity.

Political parties would, most likely, counter this argument, claiming that voters are not really interested in party manifestos and policy programmes. Indeed, it has been argued that voters may not necessarily be interested in the policies of parties that have no hope of winning,<sup>12</sup> but this view does not take into account that individuals elected, even from small parties, will represent citizens in Parliament. If a policy issue such as the death penalty comes to Parliament, is it not incumbent on voters to know where their party stands on this issue? Political parties represent citizens in parliamentary standing committees; this is where the opposition can play a very effective role. It is thus necessary to understand where all parties, not just the winners, stand on specific policy issues.

South African political parties have been disappointing in their lack of ability to broaden policy debates. Perhaps they underestimate the electorate's interest in policy options on issues such as how to deal with the global recession or how to combat crime. Or, the larger parties (ANC, DA, COPE) may share policy views on the economy, for example, that are very similar, and thus it is difficult to start a debate by attacking other parties' policies. As one analyst noted in the 2004 elections, "All the major parties' economic platforms were, in essence, so similar, that the opposition was simply reduced to saying, and saying unconvincingly, that 'we could do better'".<sup>13</sup> Perhaps a final reason parties were unable or unwilling to engage in extensive policy debates is because the larger parties, such as the ANC and COPE, try to be all things to all people. There appears to be a fear of standing too strongly for one policy or ideal lest this alienates voters who hold a different opinion.

### Beyond identity

Voting based on identity, rather than policies, is not, however, the only reason the ANC held its large majority. There are several other reasons, including historical allegiances, the role of Jacob Zuma as an agent of change, a good track record in some policy areas, a well-fought election campaign, and the opposition's failure to capitalise on new opportunities.

The historical importance of the ANC in the minds of voters cannot be underestimated. The ANC is a liberation movement with a proud past. For many it is the actions of the ANC that allowed them to have the vote in the first place, and so it is unsurprising that they feel they owe the party a debt of allegiance: "In Africa, and particularly southern Africa, loyalty to former liberation movements is strong...millions will still vote for the ANC out of loyalty."<sup>14</sup> A pre-election poll predicted that 10 per cent of ANC voters would choose the party because it 'fought for freedom'.<sup>15</sup>

Ironically, the ANC may also have won an electoral victory because of, rather than in spite of, Jacob Zuma. Many citizens do want change, and Zuma is seen by some as embodying a new era and a new ANC. This change in ANC leadership allowed voters to demonstrate their dissatisfaction with the status quo, while simultaneously remaining loyal to their identity allegiances. For many, Zuma's win at Polokwane represented a rejection of an Mbeki-led ANC, which was seen as centralising power and inadequately consulting and responding to the needs of the poor. Thus, in spite of his corruption and rape cases, and much negative media attention around him, the ANC may have won a substantial majority because of the change Zuma represented. Support for Zuma is reaffirmed by comments from voters such as, "Zuma is a person who is very close to the people...Before his leadership, the ANC was for the elite. Now it will be for the people."<sup>16</sup> The need for voters to have faith in a new ANC is also demonstrated by the fact that the majority of those polled before the elections said Zuma's legal troubles will "make them more likely to vote for the ANC" rather than less likely.<sup>17</sup> If voters feel Zuma's fraud charges were simply the result of a victimisation campaign, they were more able to justify their vote for the party they identify with.

Another reason the ANC was able to maintain its majority victory is because, in some respects, they do have a good track record. Although they have not delivered all they promised when they came to power in 1994, the party does have much to be proud of. As one reporter notes, "Since 1994, more than three million houses have been built for 14 million people. In the townships where blacks were confined and neglected under apartheid, schools have been built and roads paved. The poor get free water and electricity. Soweto, Johannesburg's biggest township, is a hive of construction sites and road works."<sup>18</sup> In many regards South Africa's macro-economic policies have also successfully stabilised the economy. The budget deficit and total national government debt as a percentage of gross domestic product (GDP) has decreased significantly since 1995. Inflation has dropped sharply and the export performance and balance of payments situation has improved, allowing Trevor Manuel to claim that South Africa has sound economic fundamentals.<sup>19</sup> Indeed, by 2004 Mbeki noted that "The country is experiencing the longest period of consistent positive growth since the GDP was properly recorded in the 1940s."<sup>20</sup> The government has developed an economic policy on the understanding that the world economy represents an integrated capitalist system with tacit rules that penalise



non-compliant actors. In this regard they have been successful, shaping economic policies which impress international actors through including in them the dominant orthodoxies about the prevailing world order.<sup>21</sup> There has also been a large increase in social expenditure over the past few years, achieved on the back of this stabilised macro-economic environment. Netshitenzhe explains that between 1992/3 and 2002/3 spending on social services grew from 44.4 per cent to 56.7 per cent of general government expenditure.<sup>22</sup> It is frequently social grants, funded by this social expenditure, that constitute the sole income in poor families.

A further explanation for the ANC's triumph is that the 2009 elections saw the party waging an extensive and fairly sophisticated election campaign. This may be expected of opposition parties who need to generate support; however the ANC's victory was never really in doubt. The formation of COPE and its widely publicised opening conference may have contributed to the galvanisation of the ANC campaign, yet, even without a new and potentially threatening electoral opposition, the ANC have always run strong campaigns. Southhall explains how in 2004 the ANC conducted a "highly organized and united campaign". Prior to the 2004 elections ANC branches were revitalised, and during the actual campaign senior politicians were deployed alongside ordinary 'cadres' to mobilise house-to-house support.<sup>23</sup> Similarly, in this campaign, ANC politicians went to the people, by for example, joining commuters on early morning trains. The campaign was further strengthened by dedicated support from COSATU and the South African Communist Party (SACP). Zuma's win at Polokwane resulted in a united alliance, which in turn was able to deliver a strong and united campaign. The ANC's strategic use of Mandela at two election rallies, and the impressive scale of the rallies and the manner in which they were organised further contributed to a dynamic and effective election campaign.

Lastly, the ANC were able to maintain their electoral majority due to the failure of the opposition to capitalise on new opportunities. COPE exemplifies this concern. As a new movement, it started well, coming out with some clear policy objectives and an anti-corruption agenda. It then lost momentum and a defined sense of what it stood for. Judging by the media attention around COPE's initial indication that it did not support affirmative action, voters were interested in the policy issue. Here was a party with an opinion that offered citizens the opportunity to debate policy. COPE soon backtracked on its affirmative action stance, moving instead in the direction of empty slogans.<sup>24</sup> The leadership struggles COPE publicly endured also did little to instil confidence in voters. Internal party contests are well and good but not when the public need to see a strong, united party with a cohesive leadership. In addition, COPE lost the opportunity to capitalise on the ideas of 'hope' and 'change'. The American election taught the world one clear lesson: where voters feel the status quo has not worked, they are not afraid to embrace the alternative but a party needs to clearly and consistently demonstrate it is the new 'hope' that offers 'change'. COPE's commitment to principled leadership is commended and presented a good start, but it failed to build up steam and offer itself as a real alternative.

## Conclusion

Voters are intelligent and rational individuals. We have too few opportunities to influence the way in which our country is governed; we are unlikely to squander our infrequent chance

to participate in democracy by making an uncalculated decision. However, when there is little opportunity to engage in policy debate, or when opposition parties offer no clear alternative, voters will return to identity politics when choosing their party. With the advent of COPE, the 2009 elections did offer some opportunity to look beyond identity politics and historical allegiances; however, in the absence of rigorous policy debate, voters had little choice but to turn to the party, or the leader, they felt most closely represented their own identity.

### Notes

- <sup>1</sup> Independent Electoral Commission (2009) Results Report [online] at <http://www.elections.org.za/NPEPWSStaticReports/reports/ReportParameters.aspx?catid=7>
- <sup>2</sup> Jacobson, Celaen. (2009) In SA's thriving democracy, politics has become ordinary. *Mail and Guardian*, Apr 17
- <sup>3</sup> Atkinson, Doreen. (2007) Taking to the streets: has developmental local government failed in South Africa? In Buhlungu, Sakhela, Daniel, John, Southall, Roger, and Lutchman Jessica (eds.) *State of the Nation: South Africa 2007*. Cape Town: HSRC Press, p 53-58 and Rossouw, Mandy. (2007) The Travelling Protestors. *Mail and Guardian*, September 14-20.
- <sup>4</sup> Duncan, Jane. (2007) Reply to parliamentary question on protest action in debate [online]. Available from [debate-bounces@lists.kabissa.org](mailto:debate-bounces@lists.kabissa.org). 26 November. (Accessed 26 November 2007).
- <sup>5</sup> Rule, S. (2004) Motivations behind voting behavior in South Africa *Election Synopsis*, vol.1. no.2. Johannesburg: The Centre for Policy Studies.
- <sup>6</sup> For example, see Daniel, John. (2004) The South African elections of 1994, 1999 and 2004: The (non) issues then and now, *Election Synopsis*, vol.1. no.1. Johannesburg: The Centre for Policy Studies, and Naidu, Sanusha. (2006) Voting behaviour and attitudes in a post-apartheid South Africa, in Pillay, Udesh, Roberts, Benjamin and Rule, Stephen (eds) *South African Social Attitudes: Changing Times, Diverse Voices*. Pretoria: Human Sciences Research Council.
- <sup>7</sup> *Mail and Guardian* (2009) What the ANC's victory means, 17 April.
- <sup>8</sup> Friedman, S. (2004) Why we vote: the issue of identity, *Election Synopsis*, vol. 1 no.2. Johannesburg: The Centre for Policy Studies, p 2.
- <sup>9</sup> *SAFM After 8* debate, March, 2009. As it turned out Zille's children attend the same school as the children of Ehrenreich's partner.
- <sup>10</sup> Naidu, Sanusha. (2006) Voting behaviour and attitudes in a post-apartheid South Africa.
- <sup>11</sup> 'Swart gevaar' refers to the 'black fear', a phrase used by the National Party during apartheid to scare white voters into supporting them.
- <sup>12</sup> Friedman, S. (2009) Manifesto mania and the minds of voters, *University of Johannesburg News*, 28 January. <http://www.uj.ac.za/LatestNews/tabid/396/2/articleType/ArticleView/articleId/640/Manifesto-mania-and-the-minds-of-voters.aspx>. Accessed on 15 April 2009.
- <sup>13</sup> Southall, R. (2004) Goliath's victory *Election Synopsis*, vol.1. no.4. Johannesburg: The Centre for Policy Studies.
- <sup>14</sup> Jacobson, Celaen. (2009) In SA's thriving democracy, politics has become ordinary.
- <sup>15</sup> Plus94 Research poll cited in Ngobeni, Wisani (2009) Another landslide for the ANC in *Sunday Times*, 19 April.
- <sup>16</sup> Jacobson, Celaen. (2009) In SA's thriving democracy, politics has become ordinary.
- <sup>17</sup> *Mail and Guardian* (2009) What the ANC's victory means.
- <sup>18</sup> Jacobson, Celaen. (2009) In SA's thriving democracy, politics has become ordinary.
- <sup>19</sup> Nattras, Nicoli. (2003) The state of the economy: A crisis of employment. In Daniel, John, Habib, Adam, and Southall, Roger (eds) *State of the Nation: South Africa 2003-2004*. Cape Town: HSRC Press, p 141.
- <sup>20</sup> Mbeki, Thabo. (2004) State of the Nation Address. [online]. [www.anc.org.za/ancdocs/history/mbeki/2004/1m0206.html](http://www.anc.org.za/ancdocs/history/mbeki/2004/1m0206.html).
- <sup>21</sup> Landsberg, Chris, and Mackay, Shaun. (2004) South Africa's decade of democracy, inequality and impoverishment. *Election Synopsis*, vol.1. no.1. Johannesburg: The Centre for Policy Studies.
- <sup>22</sup> Netshitenzhe, Joel. (2004) A social partnership is required for growth in the next 10 years, *Sunday Times*, 4 April.
- <sup>23</sup> Southall, R. (2004) Goliath's victory.
- <sup>24</sup> See *Mail and Guardian* (2008) Cope clarifies position on affirmative action, in *Mail and Guardian* online at <http://www.mg.co.za/article/2008-12-18-cope-clarifies-position-on-affirmative-action>, Dec 18.





# Prospects for provinces under a Zuma presidency

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## From an Mbeki presidency to a Zuma presidency

The Mbeki presidency was generally considered an era of centralisation of power at national level, which rendered the provinces politically subservient to the central authorities. The key political aspect of this state of affairs was the appointment of provincial premiers by the president. With the passing of the Mbeki era and the arrival of a Zuma presidency after this year's election, the prospects of this practice changing seem extremely remote. Adding to the gloomy prospects for the provinces is the fact that for the first time since 1994, there is a noticeable absence of robust public debates among political parties about the country's system of provincial government and its future.

Since the dawn of democracy and the inception of the multi-level system of government in 1994, the country's system of provincial government has always evoked intense and passionate disagreements among the key political parties. This was especially the case during election times when, almost invariably, the ruling party would be accused of diminishing or undermining the political and constitutional integrity of the provinces. Usually such accusations would be triggered by policy initiatives from the ruling party seeking to change an important aspect of the system. For instance, prior to the 1999 elections, the ruling party introduced a major change to the interim constitution of 1993, which resulted in the insertion of a chapter on 'cooperative governance'. This chapter was essentially mandating the structuring of intergovernmental relations between the national and provincial governments in such a way that it watered down the competitive dynamic in relations between the two spheres of government. Also, the introduction of this chapter served to undermine the relative constitutional autonomy that many commentators felt the interim constitution provided for the provinces. Similarly, the local government reforms of the late 1990s and early 2000s, including the introduction of the metros and their executive mayoral systems, created a huge controversy, with many opposition parties and sections of the press suspecting the ruling party of surreptitiously seeking to downgrade the status of the provinces and provincial premiers.

The robust public debates that came in the wake of these controversial issues were a key sign of how important the provincial system of government was to the body politic of this country in general, and to those political parties that were inclined to defend the rights of the provinces against the ruling party. The fact that since the start of the current election campaign the issues pertaining to the rights of the provinces have not featured prominently in public debates should be seen as an ominous sign that foretells the looming marginalisation of the provinces as elected democratic entities under the Zuma presidency.

## The triumph of pragmatism over idealism

The early years of robust public policy disagreements over the provincial system were intensely ideological and often dogmatic, largely characterised by normative discussions about how the political and functional responsibilities ought to be shared between the provincial and national spheres of government to ensure the balance of power between the two. Initially, the adequacy of the powers, functions and responsibilities, as well as the funding and political autonomy of the provinces were the main preoccupations of many political parties. These preoccupations were the key defining issues that characterised public debates among the political parties during the 1994 and 1999 general elections in South Africa. Pro-federal political parties, such as the Inkatha Freedom Party (IFP) and the former ruling National Party (NP) were more inclined to defend the rights of the provinces. They objected to the fact that they were constitutionally and politically weak and therefore subordinate to the centre, and thus demanded more powers and functions for the provinces. Others more inclined to support the centralisation of power, particularly the ruling ANC, preferred a stronger and more dominant central government.

However, subsequent years and subsequent general elections have seen debates and issues of concern become broader, wider and more complex, shifting attention towards other important issues, such as the functioning and efficiency of the provincial system in practice. The institutional capacity of the provinces to utilise these powers and functions, and the impact achieved, became more important than the quantity and content of the powers and responsibilities allocated to the provinces. Questions such as the design and proper functioning of provincial government institutions; the functional relations not only with the national but also with the local governments; the problems of administrative and policy capacity; and the efficiency and effectiveness in service delivery have come to occupy centre stage in subsequent years. South Africa's provinces, together with the local sphere of government, have become the primary means for delivering services to impoverished communities and households throughout the country. A large portion of the national budget, over 70 per cent, is spent by the provinces and the municipalities to implement national and sub-national social policy programmes and to deliver services to citizens. This has served to bring to the fore a different set of issues and problems for policy makers. Problems such as corruption; mismanagement of public resources; a lack of key skills and poor financial management and controls, have become more salient than the constitutional division of powers and responsibilities.

Important also is the fact that the ruling party and major opposition parties have accumulated greater experience, knowledge and understanding of the complexity and challenges of operating a multi-level system of government. This has significantly subdued the dogmatic idealism and normative policy orientations of the key players that characterised the early public exchanges. Many parties have become pragmatic in their approach to the issues concerning provincial government in South Africa. The need to grapple with the practical problems of effective utilisation of existing powers and functions triumphed over obsession with the nature and content of these powers. Also, the need to deal with routine problems, such as widespread administrative inefficiency as well as the resource constraints characterising the largely poor and rural provinces, which lack independent sources of revenue, has become a more urgent concern.



Another important element in this triumph of pragmatism over idealism was the elevation of the local sphere of government as a primary service delivery agency following the reforms that were introduced in the late 1990s and early 2000s.<sup>1</sup> The intention of these reforms was for the local sphere of government to evolve into a fully fledged democratic system with a mandate to carry out some of the service delivery responsibilities currently vested in the provinces. These include housing, health care and social welfare, in addition to other local government functions such as water, electricity and sanitation. However, the unintended consequence of these local level reforms was that questions were raised as to the continued importance and relevance of the provinces, not only as service delivery agents, but also as elected democratic entities, given that the newly reformed local authorities were also intended to serve as service delivery agencies as well as a platform for local democracy.

As a result of the pragmatism that has increasingly characterised the approach of the major political parties, the political tensions and passions that used to underpin debates about the system of provincial government in South Africa have been diffused. However, this also serves as an important indicator of the marked decline in the political importance of the provinces as political entities within the country's body politic.

## Current thinking about the provincial system

In 2007, in the middle of Mbeki's second term, key political leaders began making significant policy statements about the future of the provincial system. For instance, in the early part of 2007, three national cabinet ministers made controversial public statements about the current system of provincial government in South Africa.<sup>2</sup> Former minister of defence and current president of the new opposition party, Congress of the People (COPE), Mosioua Lekota, Finance Minister Trevor Manuel and Minister of Provincial and Local Government, Sidney Mufamadi, called for a reduction in the number of the provinces, currently nine, and a review of the current division of the powers and functions between the national government and the provinces. The stated rationale underlying these calls was that this would enhance the ability of the national government to set the policy agenda and guarantee that national policies and programmes would be implemented in line with the dictates of the national government.<sup>3</sup> However, the key underlying motive here was that the central government sought to further reassert its dominant position over the provinces, a dominant position which is already guaranteed in the current constitution.

Initially, these statements did evoke some controversy from some opposition parties, commentators and sections of the media. The responses of the major opposition parties to this attempt to re-assert the dominance of central government were uncoordinated at best and muted at worst, with the official opposition, the Democratic Alliance (DA) perceiving this move merely as an attempt by the ruling party to gerrymander the DA out of prospects for power in the Western Cape Province in the 2009 elections. This response was not a principled defence of the rights of the provincial system of government in South Africa but a narrow defence of the DA's party political interests. While the major opposition political parties do believe, at least rhetorically, that the provinces are still relevant within the country's politics and serve an important political and administrative role,<sup>4</sup> none of them were as vocal in defence of the rights of the provinces as is usually the case in other countries such as Germany, Australia and Canada. The danger of this waning or declining intensity

of party political exchanges over the country's system of provincial government is that it creates a false consensus that will ultimately leave the way clear for the ruling party, together with bureaucrats in government, to shape and change the current system unhindered. In fact the Department of Provincial and Local Government (DPLG) has already initiated a policy review process (in 2007) in a clear attempt to do just that.<sup>5</sup> While officially this policy review is aimed at reviewing the performance of both the local and provincial governments in order to improve their effectiveness and efficiency as service delivery agents, the thrust of the policy document and the slant of questions posed therein are such that they leave no doubt as to the underlying motive: to seriously diminish the constitutional and political status of the current provincial system of government in South Africa, if not abolish the system. It is significant that the policy review process was initiated a few months after the pronouncements of the three cabinet ministers.

The underlying intention of the government and, in particular, the DPLG, is unmistakably to leave the way clear for local government to become the primary sphere responsible for implementing national policies and delivering basic services to communities on the ground. This is despite the widely acknowledged institutional and structural weaknesses at local government level, which have sparked widespread and violent community protests against poor quality services throughout the country over the past three to four years. The government's policy review process holds no clear vision of the place of the provincial system of government in the future. The primary motive for this is clearly political. The ruling ANC has historically been unreceptive to the idea of a sphere of government with significant constitutional and political powers to countervail those of the national sphere. A recent study of the views of seven major political parties in the country found a tendency amongst the majority of them to perceive and hold the service delivery, administrative and policy implementation functions of the provinces as more important than their political, democratic representative functions.<sup>6</sup> Perhaps this, combined with the fact that the municipalities are also fully elected democratic entities with fully fledged democratic representational functions in addition to their service delivery functions, is one of the key factors accounting for the declining importance of the provinces. The difference in respect of the local sphere of government is that constitutionally it presents no prospects as a rival or a threat to the political authority and dominance of the central government.

It would seem therefore that the status of the provinces as elected political entities with a democratic representational role within the country's body politic, holds no more political value for political leaders in this country than their administrative and policy implementation functions. This is because service delivery has come to occupy centre stage for government in recent years, including for the 2009 elections. This implies therefore that for the provinces to retain their importance in the eyes of the general public, policy makers and political leaders, they would have to demonstrate continued relevance, effectiveness and indispensability as administrative and service delivery agencies, rather than as elected democratic political entities. In this, however, they have to compete with local government.

### Provinces in the 2009 election campaign

For now, the saving grace for the provinces, ironically, is that the ruling ANC appears hopelessly divided and paralysed, if not clueless, as to what to do with these entities.<sup>7</sup> The root of the paralysis for the ruling party is that the nine provinces still serve as crucial sources



of patronage for hundreds of party functionaries who are currently 'deployed' to serve in the numerous political and administrative structures of these entities. Even under the Zuma presidency, there does not seem to be any prospect that the current patronage system at provincial level would lose its importance for the ruling party or even for other political parties. Therefore, while the ruling party and other parties such as the United Democratic Front (UDM) and the Pan Africanist Congress (PAC) see little value in provinces as elected democratic governments in their own right, abolition of the provinces will not be an easy option as it holds potentially uncertain or even dire political consequences for many party functionaries. On the other hand though, those opposition parties that are inclined to value the provinces as democratic entities tend to be politically and electorally weak and in no position to convince or bargain with the ruling party to adopt some of their proposals for reforming and strengthening the provinces. This is an important factor in explaining the absence of debates about the future of provinces in the current election campaign.

The noticeable absence of debate on the country's provincial system has not occurred in previous elections and should therefore be seen as an ominous sign of their impending marginalisation. In fact during the early part of its election campaign, the ruling ANC made a key proposal that holds potentially negative implications for the provinces: the establishment of a Planning, Monitoring and Evaluation Commission to focus attention on service delivery. The Commission is to be located inside the Office of the President. This means that delivery of basic services will become the central plank for the new government, and that the management of the administration of policy implementation and delivery of social services will be driven from the centre, thus restricting the scope for provincial political decision-making relating to regional priorities in policy implementation. In this broader context, the importance of the provinces as elected political entities, serving a democratic representational role, has become less important.

From the above, it is patently clear that the provinces are not a vote-winning issue, and this is testified to by the fact that there was barely a mention in party political campaigns and debates on issues or problems of specific relevance and importance to the provinces as political entities. Only in their capacity as service delivery agents have political parties such as the UDM raised issues in their election campaigns, such as corruption, misuse of public funds and administrative incompetence. Nonetheless there are some political parties that still hold out some hopeful prospects for the provinces. For instance, a quick glance through the manifestos of eight major political parties<sup>8</sup> contesting this year's general election shows that the DA and the IFP have made reference to the notion of 'federalism', and/or articulated the importance of the provinces as democratic entities in the country's political system, even though the two parties have not raised these issues in public debates during this election.<sup>9</sup> Also, in their election manifestos the DA and COPE seem to envision provinces continuing to play their democratic political role within the country's political system. For instance, in their proposals for reforming the current PR List electoral system, the two parties want to see the provincial premiers, together with the president of the country and the mayors, as well as other national and provincial public representatives, elected directly by the citizens.<sup>10</sup> This could be interpreted as a clear signal that the two parties are envisaging the provinces not merely as administrative and service delivery agents, but also as fully elected democratic political entities. Perhaps then, a positive future for the provinces depends on strong opposition parties.

## Conclusion

The Zuma presidency heralds the passing of a national political era, remarkable for undermining the rights of the provinces. There have been no specific policy pronouncements by the new leadership of the ANC and those around Zuma to suggest anything other than the dawn of the new era that might see the provinces continuing in a path towards greater marginalisation as democratic political entities. Since 1994 the provinces have served as one of the key symbols of a post-apartheid political consensus and compromise between those who demanded a centralised political power system at national level against those who sought to tame that power by structurally counteracting it at a sub-national level, specifically through the provincial system of government. The Zuma presidency is likely to be the end of the road for this political symbolism.

### Notes:

- <sup>1</sup> See C. Kihato & T. Rapoo, A Future for the Provinces? New rethink needed on the role of provinces, (CPS Policy Brief, no. 23)
- <sup>2</sup> See Friedman, Primary Advantage of Provinces Ignored by Worn-out Debates, *Business Day*, 16/05/2007; *Social Housing Foundation News*, Manuel Joins Calls for Fewer Provinces, 04/05/2007.
- <sup>3</sup> Independent on Line, Are Fewer Provinces for SA a good Idea?, 04/05/2007;
- <sup>4</sup> See T. Moloji & T. Rapoo, A Future in Dispute: Political perspectives on South Africa's provincial system, (CPS Research Report no. 109), September 2008
- <sup>5</sup> See DPLG, Policy Process on the system of provincial and local government Background: policy questions, process and participation. (2007)
- <sup>6</sup> T. Moloji & T. Rapoo, A Future in Dispute, op. cit.
- <sup>7</sup> See Friedman, Primary Advantage of provinces ignored by worn-out debates, *Business Day*, 16/05/2007.
- <sup>8</sup> The African National Congress; Democratic Alliance; Inkatha Freedom Party; Congress of the People; United Democratic Movement; Independent Democrats; United Christian Democratic Party and African Christian Democratic Party.
- <sup>9</sup> See DA Manifesto 2009, One Nation, One Future, p.10 & IFP Manifesto 2009, Real Development Now, Let's Make a Difference Together, p. 1.
- <sup>10</sup> See COPE Manifesto 2009, A New Agenda for Change and Hope For All, p. 5.; DA Manifesto 2009, One Nation, One Future, p. 5.

## Youth uninspired by politics?

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### The backdrop

Young people in South Africa have often been at the forefront of political developments, particularly given the influential role that the ANC Youth League played in the removal of Thabo Mbeki from the presidency of the ANC in December 2007, and subsequently from the country's presidency in September 2008. Yet South Africa today is a very different and changing place. Some of the 'born free' generation (sometimes referred to as the millennial generation, or the first school-leavers in the new millennium), especially those in the small



but growing middle class, have a different set of values<sup>1</sup> and preoccupations compared to previous generations of the political struggle era. This new generation, although still suffering the consequences of apartheid, do not have direct experience of the brutality of that system. A growing number of them are increasingly becoming consumer-oriented and middle class, with different and very often apolitical interests.

Demographically though, young people occupy an important age-cohort because of their size in proportion to the total population,<sup>2</sup> but also as a voting group relative to other age groups who qualify to vote. Young people between the ages of 20 and 39 years comprise roughly one third (some 33 per cent) of South Africa's total population, and the largest share of South Africa's total voting population, some 16 million eligible voters out of a total voting population of roughly 28 million. Stated differently, more than half (58 per cent) of the country's voting population falls within this age group.

The 2009 elections in South Africa were seen as water-shed elections, potentially heralding the beginning of a sea change to the country's political landscape. The main markers of this change were the launching of a new non-racial Congress of the People (COPE), the change of leadership in the ANC and the official opposition Democratic Party's (DA) rebranding of itself under their leader, Helen Zille. Inspired by these developments, it was hoped that young people would come out in greater numbers than ever before to register and contribute towards a better future. Furthermore, young people are concerned about the same issues as they were 15 years ago, at the time of the first free elections, such as finding decent work and receiving quality education. However, the results of the 2009 poll indicate that the ANC remains the party of choice, with 65.9 per cent of the electorate voting for it, and that the majority of young people in South Africa were not enticed to vote for another political party.

This article explores some of the reasons why young people chose either to vote for the ANC or not to participate in these elections.

## Marginal improvement in registered youth voters

It can be argued that the greater the number of new registered youth voters, the greater the likelihood of a higher youth voter turnout at the polls. It is speculated that had there been a substantial increase in the youth turnout at the polls, this may have benefited the opposition parties, because new youth voters (from the 'born free' generation) may have been less loyal to the ruling party and attached to its legacy as the party that liberated South Africans from apartheid.<sup>3</sup>

Though there are roughly 3 million new voters registered in 2009, the percentage share of registered youth voters (aged from 18-39)<sup>4</sup> against the total number of registered voters is not that much different compared to the 2004 elections (54 per cent or 11 million versus 52 per cent or 12 million in 2009). There are also still a large number of young people (approximately 4 million out of some 16 million) eligible to vote, who did not register. In terms of the Electoral Act of 2006, young people aged 16 years or older are able

to register to vote. However the voting age is restricted to young people aged 18 years and older, thus reducing the pool of young people who actually voted in 2009.<sup>5</sup>

Therefore, though more young people registered to participate in 2009, compared to 2004, the increase in the number of registered young voters was not substantial enough to affect the outcome of the result, with the ANC capturing just under two thirds of the vote.

## Capturing the 'online generation'

During this year's election campaigning, the major parties, such as the ANC, COPE and the DA, had initiated online tools and resources for maximising their electoral support. These parties had moved their campaigns into online social networking forums such as the popular Facebook, blogs, MXit, and so on. The ANC had created a youth portal called MyANC, with interactive downloadable videos updated daily on YouTube. Fikile Mbalula, the ANC's national campaigns manager, described their online blog as a "virtual imbizo". In the early days of the emergence of COPE onto the political scene, several Facebook pages emerged in support of the party; some of these sites initially registered impressive membership and discussion boards. Though all parties are making use of these new technologies, it would appear, based on support for the ANC at the polls, that the ANC has successfully used these new technologies, coupled with other ways of reaching the youth and identifying with the upwardly mobile aspirations of a growing middle class.<sup>6</sup> The party also sought to reach the youth through other media, such as pop concerts, and social events, such as parties and branded t-shirt campaigns.<sup>7</sup>

## Lack of inspirational leadership among youth

More young people could have registered to vote in 2009 had the current crop of youth political leadership been more inspirational as role models. For instance, when young people were asked who their most important role models were, Nelson Mandela was the first choice across all race groups. Rebecca Malope (a gospel singer) was the second choice for the African youth.<sup>8</sup> Nonetheless, the ANC seems to have successfully countered or minimised the potential effect of the widespread lack of interest in politics and youth political leaders among youth by 'tuning' into their interests, engaging and identifying with them in their own social spaces, through parties, pop concerts and entertainment events where their own social and cultural role models are to be found.

## Inadequate voter education and awareness campaigns

Findings of a recent survey commissioned by the HSRC add weight to the view that more could have been done to inspire young people to register to vote. The survey found that those people who were most interested in the elections were in the 45-54 year age group.<sup>9</sup> Another reason for many young people not registering to vote could be the insufficient attention paid to them, as well as voter education and awareness campaigns. Whereas 68 per cent of respondents in the 35-44 year age group indicated that they were aware of voter education campaigns and programmes, less than half of the 18-22-year-olds were aware of such campaigns.<sup>10</sup>





## Party loyalty versus youth policies as determinants of voting preference

Party identity and loyalty appear to have trumped youth policy as elucidated in party manifestos during the 2009 elections. An opinion poll undertaken by Plus 94 just before the elections showed that more than 65 per cent of youth voters between the ages of 18 and 24 years indicated that they would vote for the ANC.<sup>11</sup> It would seem that youth allegiance to and identity with the ANC remains strong. The Afrobarometer Survey (2008) found that though just under two thirds of young people between the ages of 18 and 35 years were of the opinion that the prosecution of Jacob Zuma should continue, the majority still intended to vote for the ANC.<sup>12</sup> Moreover, party loyalty remains strong, despite the fact that many young people describe their present living conditions as either “very bad” or “fairly bad” (44 per cent of young people between 18 and 35 years fell into this category). One of the reasons for this continuing high level of allegiance to the ruling party could possibly be because the largest percentage share of young people who answered this question view their present living conditions as much better than under apartheid (between 44 and 48 per cent of young people between the ages of 18 and 35 years reported this).

Noteworthy also is that, despite the fact that South Africa's electorate is young and becoming younger, the main political parties, with the exception of the DA, devoted little focused attention to developing the youth in their campaigns. For the main parties, the youth sector was treated as a 'cross-cutting' issue under skills development, education, HIV/AIDS and job creation. The DA, though somewhat superficially, included a separate section in its manifesto on youth development, covering issues such as a voluntary community service; youth development programmes; opportunity vouchers; and drug and alcohol prevention programmes. However, many of the ideas they proposed are not new and are already incorporated into current youth development policies.<sup>13</sup>

Putting identity politics and party loyalty aside, had opposition parties engaged more with existing youth policy in their manifestos and campaigns, and highlighted current flaws in it, and challenges to youth development and the satisfaction of youth needs, they may have successfully motivated more young people to vote for them. Some of the current problem areas in youth policy are the slow pace of policy roll-out and the institutional arrangement of youth development programmes. When the National Youth Commission was formed in the mid-1990s under the National Youth Act (1995), to address the concerns and needs of young people, there was optimism that youth issues would be taken seriously. However the Commission failed to deliver services to young people in a substantial way. The Commission's planned National Youth Service Programme (NYSP),<sup>14</sup> originally formulated in 1998/1999 (with the passage of relevant Green and White Papers), and the subsequent National Youth Service Implementation Plan (2002) have yet to make any kind of significant impact on addressing youth concerns, some 10 years after the policy was originally formulated. To date, the policy for the establishment of a youth service has only been implemented in a limited way and there are no structures in place to monitor its programmes to determine whether young people have obtained meaningful work experiences and learning opportunities.

Earlier concerns<sup>15</sup> have gone unheeded that the establishment of the National Youth Commission (NYC) under the Presidency would lead to centralisation and gatekeeping, undemocratic and top-down decision-making, and a lack of real youth representivity. The planned merger of the NYC with the newly created National Youth Development Agency (NYDA), chaired by the deputy president of the ANC Youth League, falling under the Presidency, together with the Umsobumvu Youth Fund, echoes more of the same top-down, centralised approach to youth development that fails to guarantee that youth not aligned to the ANC will also benefit from the youth development funds emanating from these structures in the future.

## Conclusions

Young people reaffirmed their support for the ANC in 2009. Despite the increased space the opposition parties had to appeal to youth voters, brought about by the change in the ANC leadership and the allegations about its new President, Jacob Zuma, as well as the prospects for a new non-racial opposition party and a rebranded DA, the opposition were not able to capitalise on these changes. They largely missed the boat in appealing to a young electorate. The ANC continued to successfully parlay its struggle pedigree as the party of liberation, as well as making use of its position as the party in power and the dispenser of social services to the poor to ensure the continued support of young people. In examining why the youth voted for the ANC, it is clear that the outcome of these elections were shaped less by party policy and more about party loyalty and identity, but the opposition could have countered this to some extent by attempting to bring policy back into focus, with more detail in their campaigns on addressing youth needs and youth development, because young people make up a significant and increasing proportion of the electorate.

### Notes:

- <sup>1</sup> For example, as outlined by Febe Potgieter, Born free and proud of it, *Youth Development Journal, Engaging With Youth culture in Post-Apartheid South Africa*. Youth Development Network (date unknown).
- <sup>2</sup> Mid-year population estimates 2008, Statistics South Africa, Statistical Release P0302.
- <sup>3</sup> Some 78 per cent (17.9 million voters) of registered voters cast their vote on the day. This represents an increase of approximately two million voters. In 2004, there was a 76 per cent poll turnout.
- <sup>4</sup> The IEC Statistics on registered youth voters are disaggregated into 10-year age cohorts: 20-29 and 30-39 yrs. For the purposes of this paper, people up to the age of 39 years are counted as young people, though strictly speaking in South Africa, youth are defined as those below the age of 35 years. See the National Youth Policy 2008-2013, The Presidency, 2008.
- <sup>5</sup> At the time of writing this article, the percentage of young people who had voted on 22 April was not available to the author.
- <sup>6</sup> See the *Sowetan*, 17 April, ANC goes bling in effort to attract hip, happening youth.
- <sup>7</sup> *The Times*, ANC has youth vote sewn up, 29 March 2009.
- <sup>8</sup> Youth 2000 Study, Community Agency for Social Enquiry (CASE), cited in *Youth Development Journal, Beyond Youth 2000*. Youth Development Network (date unknown).
- <sup>9</sup> HSRC, February 2009. Results of the 2008 Voter Participation Survey, Commissioned by the Independent Electoral Commission.
- <sup>10</sup> Ibid.
- <sup>11</sup> *The Times*, March 29, 2009. ANC have youth vote sewn up.
- <sup>12</sup> Afrobarometer, Round 4 Survey, 2008.
- <sup>13</sup> Refer to National Youth Policy 2008-2013, The Presidency. November 2008.
- <sup>14</sup> The purpose of the NYSP is to provide opportunities for young people to obtain training and gaining work experience, while at the same time developing poorer communities.
- <sup>15</sup> See, for example Mokwena, S. 2002. Youth and nation-building in South Africa: From struggles to youth development, *Youth development journal, special edition*, Youth Month, June 2002.



# Gender in the 2009 elections agenda: Prospects and implications for equality and empowerment

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## Introduction

This brief paper looks at the progress that has been made in South Africa since 1994 towards women's empowerment and the prioritisation of women's concerns in the run-up to the 2009 national and provincial elections. This article will attempt to tease out what the likely priorities will be of the South African state to women's empowerment and gender equality under Jacob Zuma's administration.

Notwithstanding the fact that reference to women, specifically their political, economic, and social marginalisation, was consistently made in the different party manifestos during the 2009 election campaigns, the extent to which these references represent robust treatments of the gender debate in post-apartheid South Africa, and a set of coherent policy contributions to issues of rural women's empowerment and gender equality is questionable.

This paper looks at service delivery as an important element in the debate on gender and rural women's empowerment, and argues that, while the lack of adequate access to services like water, sanitation, and electricity affects both men and women in South Africa, particularly in the African community, the continuing service delivery backlogs disproportionately affect rural women, since in the absence of these critical services, women tend to be ultimately responsible for making some provision for them.

## Women's empowerment in post-apartheid South Africa

Section 9 (subsections 3 and 4) of the South African constitution,<sup>1</sup> Act 108 Of 1996, states that neither the state nor any persons may unfairly discriminate, directly or indirectly, against any persons on the basis of, inter alia, race, sex, gender, age, marital status, or ethnicity. As the culmination of the constitutional debates that were initiated prior to the 1994 democratic elections, the Constitution is arguably the most important pillar of South Africa's democracy and as such, lends political significance to an ethos of equality among all South Africans, including gender equality. As has been noted by others, see Hassim (1991), Albertyn (1993), Baden et al (1998), although the overriding historical imperative of the liberation movement was racial equality and the elimination of all forms of discrimination on the basis of racial identity, the opening up of the political space in the late 1980s and early 1990s made it possible for women to place greater emphasis on gender equality and the

eradication of women's discrimination as legitimate elements in the establishment and consolidation of democracy. It is in light of these constitutional and democratic gains that the levels of women's parliamentary representation have been rising steadily since 1994, in which year women representatives<sup>2</sup> in parliament were far greater in number than in preceding years (Myakayaka-Manzini 2002). This trend has continued after this year's elections, with the African National Congress (ANC) almost achieving an equal split between the number of men and women representatives. In addition to women's parliamentary representation, the Office on the Status of Women (OSW), which is located in the Presidency, is tasked with monitoring all government policies and legislation with regard to the possible impacts on the lives of women in South Africa, and as advancing gender equality, as well as institutions like the Commission for Gender Equality (CGE) with provincial offices throughout the country.

While these and a myriad other attempts at increasing women's representation and the profile of women's concerns in the policy arena are laudable, important questions nonetheless need to be asked about the extent to which women's formal representation in parliament has resulted in measurable and broad-based gains for political and electoral processes.

It has been argued that such representation may not necessarily enhance women's overall social and economic position. As Childs (2006:8) explains, there is often an erroneous presumption that "the percentage of women in a particular political institution is the key to understanding women representatives' behaviour and effects." She therefore highlights an important aspect of the capacity of women elected representatives to further the interests of women in these political forums, namely, the institutional/organisational character of these forums, and their conduciveness to addressing policy issues from a gender perspective. As such, rather than solely focusing on the formal measures that are put in place to advance women's concerns, it is also important to interrogate the framing of policy and the extent to which such framing is gendered and sensitive to the nature and extent of women's roles and responsibilities, and how these are reproduced within the household.

As such, in a developing country context like that of South Africa, effecting greater equality between men and women is not only a matter of the formal representation of women within key institutions, but is in fact inextricably related to the delivery of basic services, which is a key component of social development policy in a manner that is overtly gender-sensitive.

### Service delivery as a component of women's empowerment

This section analyses a few examples of what activities women, particularly rural women, spend time on, drawing on available data from two publications from Statistics South Africa on the household division of labour between men and women in South Africa. This exercise sheds light on what some of the substantive issues around gender equality and women's empowerment ought to be, particularly with regard to the position of rural women, who are by far the ones most afflicted by poverty and most affected by a lack of adequate service delivery; at the same time they are the most socially and economically marginalised.



Figure 1 shows the average minutes per day that men and women spend on various activities. That men spend more time, on average, working in a formal place of work outside the home (a government office, a mine, or a factory) and that women, by contrast, spend more of their time on household maintenance, comes as little surprise. The chart also highlights that it is mainly women who spend more of their time on caring for persons in the household, with less time for learning or socialising.

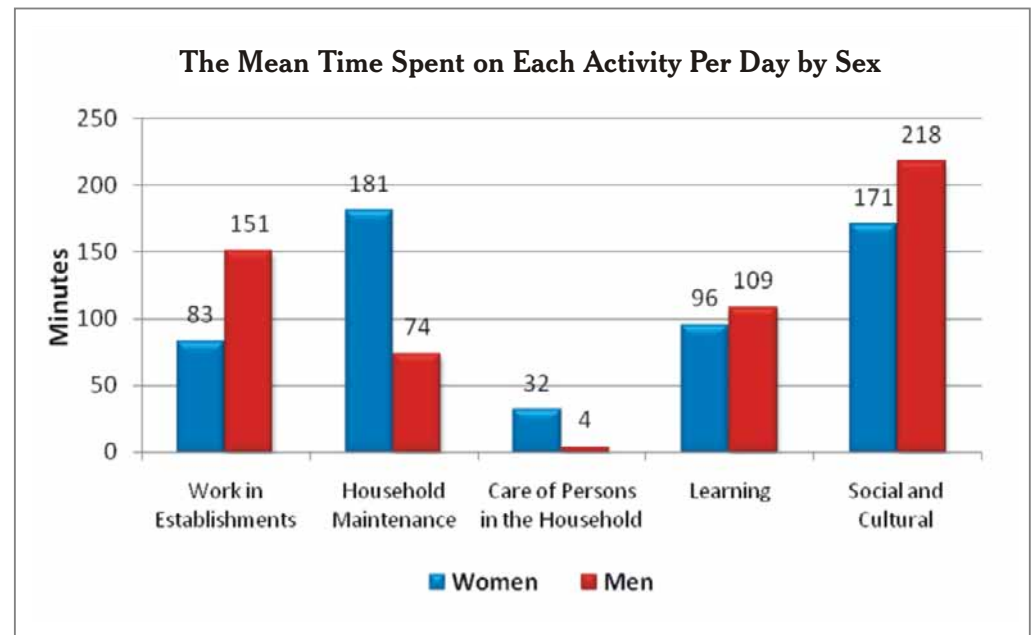


Figure 1: Statistics South Africa (2001)

Of the range of activities in which women are involved as part of their household maintenance work, collecting water and dung or wood (for cooking and lighting) are perhaps some of the most important activities in households where these resources have to be collected off site. As Figures 2 and 3 illustrate, women are not only the ones who are responsible for collecting these resources, but men's tendency to undertake these activities declines the further away the sites are located from where the resources have to be collected. Although dung and wood collection requires travelling for a kilometre or more, the proportion of men who do make the required trip remains at the same level as for closer distances. It can safely be argued, albeit anecdotally, that these patterns of responsibility between men and women are a function of patriarchal norms and practices that see these and similar activities as women's responsibility; responsibility which is clearly onerous and requires extensive physical exertion.

To this end, when prioritising the rights and interests of women in policy, the geographical location of women is important. This is not to say that women who live in the urban areas are not subject to patriarchal norms that impose burdens on their time and limit their capacity to engage in activities that are not tied to household maintenance. What it does tell us is that understanding the needs and interests of women requires a disaggregation of the various categories of women, so that the substance of 'empowerment' is tailored to the particular circumstances of each of the different categories of women.

**Percentage of Females and Males Spending Time on Water Collection for Each Distance From the Dwelling**

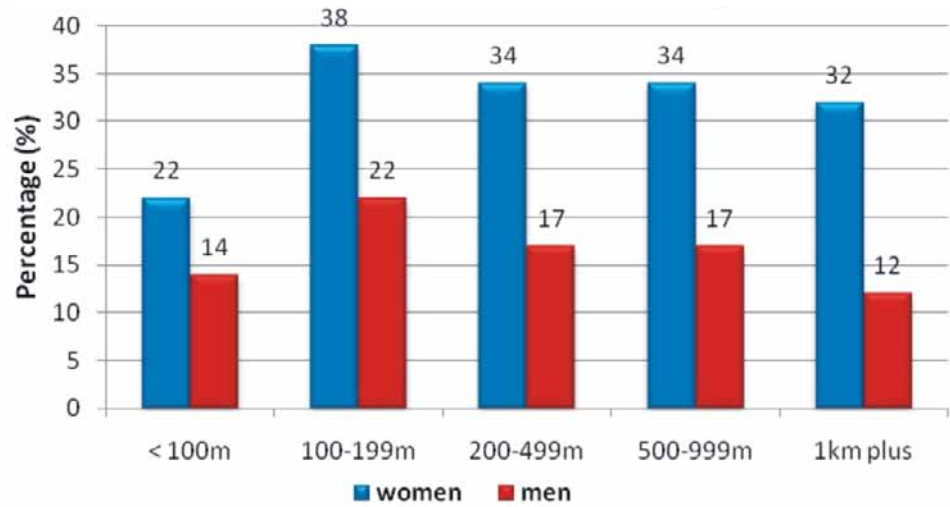


Figure 2: Statistics South Africa (2002)

Again, concerns with the delivery of basic services like water and sanitation are not just a human rights issue, but an important aspect of freeing up time for women so that they are in a position to exploit opportunities that might exist outside the home. In this regard, service delivery is central to easing the physical and time burdens that rural women face and thus forms a core element in advancing the cause of this category of women in making available sustainable livelihood opportunities within and outside the home. Thus, the new women's ministry established by the ANC government would have to address the issue of women's empowerment in a differentiated manner: that is, in a manner that speaks to the differences among women owing to, for example, their geographical location as well as their levels of access to critical services.

**Percentage of Females and Males Collecting Wood or Dung for Cooking or Other Purposes for Each Distance From the Dwelling**

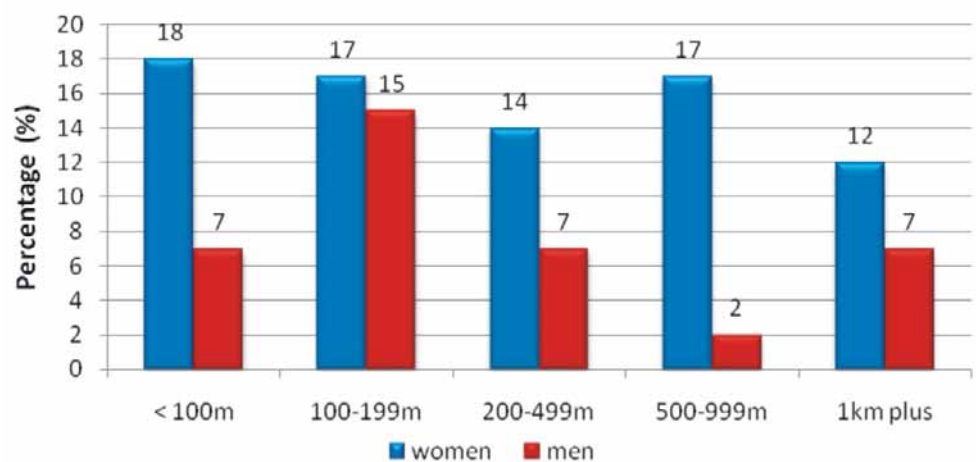


Figure 3: Statistics South Africa (2002)



## Gender in the 2009 elections agenda

Indeed, given the high levels of unemployment in South Africa, and the under-representation of women in the formal labour market, key interventions in stimulating job creation are a priority. However, an uncritical promise to create greater employment opportunities for women does not address the range of other activities that are an integral part of what is socially defined as women's primary responsibility: that is, household reproduction and caring for children and other members of the household.

Where political parties all promised to create jobs particularly for women and the youth, none addressed how this will be facilitated in a manner that does not compromise rearing and caring for children and other functions in a context where household gender roles and the implied household division of labour remain largely disadvantageous to women. The problem is not that employment creation strategies will target women, but that there is not an adequate appreciation of what the implications of women working outside the home will be on the household, where complementary policies like establishing more early childhood development centres do not feature strongly if at all in the policy agenda. As the United Democratic Movement's (UDM) election manifesto states, "on an individual and household level, it is important that every South African has a job, while on the national level it is important that the economy should grow." However, no elaboration is provided on the implications of higher levels of employment by both men and women on households, thus not directly confronting unequal gender relations and responsibilities in the home and how these place a larger burden on women in terms of managing the demands of work and household responsibilities.

Similarly, the Inkatha Freedom Party (IFP) and even the African National Congress (ANC) pointed to the need for sustained economic growth and employment creation. However, there was no evidence from their manifestos that due regard had been given to the differential outcomes resulting from job creation for both men and women. In fact, where the IFP made reference to women, it was with specific regard to women and children's vulnerability to sexual violation, without any consideration of other pertinent issues relating to women's position in society relative to men. In this regard, no reference was made to the household division of labour and what the impact of women's entry into the labour market would be on household reproductive functions. Ensuring that children have preschool and other care facilities in cases where women enter the job market, for instance, is an important issue that cannot be divorced from any discussion about the creation of work opportunities for women. The failure to do this thus represents a fundamental oversight in the conceptualisation of productive activities, since it fails to highlight the relationship between the private and the public sphere; that is, the relationship between productive and reproductive activities in society.

Unlike other political parties, the Democratic Alliance's (DA) vision of an open opportunity society hardly made reference to the specific challenges that face women, particularly those in rural areas. While increased employment opportunities were identified as a key priority for extending the tax base, hardly any mention was made of the difference in men and

women's access/opportunities to employment, raising the question as to how the party would proactively enhance the position of women in society and in fact facilitate gender equality. By not making special reference to women's position, the DA's manifesto, like those of the other parties, fails to acknowledge that there are fundamental differences in gender roles and opportunities between men and women, and that women in South Africa face greater constraints in access to opportunities than men. These constraints cannot be adequately addressed through gender-neutral and undifferentiated policy instruments. To be fair, however, this gender neutrality was evident in other manifestos as well. That the term 'woman' was used by some of the other parties does not necessarily indicate any gender sensitivity in their policy prescriptions and priorities.

These complex cultural, social, and economic relations that have a bearing on the division of labour within the home and therefore outside the household, necessitate integrated policy responses. Such integrated responses must take, as a starting point, women's life conditions within the household and, on the basis of this, develop appropriate policy responses. Only focusing on creating employment opportunities for women, without also ensuring that this is done in conjunction with the extension of basic services such as child care, as well as other relevant facilities for the aged, sick and infirm, will do very little to ease the burden of care and household maintenance that women continue to bear. If anything, this is likely to lead to increased pressure on women's time, thus exacerbating instead of easing their 'time poverty'.<sup>3</sup>

The above analysis points to the need for a gendered approach to devising policy interventions that are substantively meaningful and can lead to empowering women. Given this situation, it comes as a surprise that while all of the political parties have highlighted and indeed made provision in their manifestos for enhanced delivery of basic services, such provisions have generally been made without taking into account the current unequal social relations between men and women, and the consequences of these unequal gender relations, particularly for women in terms of their current social and cultural roles in the private sphere of the home.

## The future of gender equality and women's empowerment in South Africa

The important question to ask at this point, then, is what a deeper and substantive agenda on gender equality and women's empowerment ought to include. As has been highlighted earlier in this article, while there has been heightened political commitment to furthering the rights and interests of women, and a rhetoric around women's empowerment, this has hardly resulted in the equalisation of roles and responsibilities for men and women in South Africa, particularly in the rural areas. Nor has it led to a meaningful transformation of the gendered roles of women and men within the household in the same way as has been achieved in the public sphere through increased numbers of women parliamentary representatives.

In particular, it will be important to see how the ANC government's new Ministry of Women Affairs will tackle the complexity of addressing the main drivers of inequality between men and women, these being as much political and public as they are social and cultural, operating and reproduced in the private realm of the household. While it is relatively easier





to address inequalities in men and women's opportunities through quotas that increase women's parliamentary or other representation, it is far more complicated to address imbalances in the home, where the societal attitudes about the respective roles and responsibilities of women have, to a large extent, remained intact.

## Conclusion

This analysis highlights that far-reaching and sustained improvements in the quality of life for women require far more than just making reference to women when addressing social and other forms of development. It requires highlighting the many differences between categories of women, including the differences in their geographical location and the ways in which specific policy interventions affect the different categories of women. Failure to do this would result in a range of vacuous statements that do not recognise the nuances and complexities in the lived experiences of women. Policy statements that hold limited transformation prospects cannot challenge current gender relations and therefore transform the conditions that reinforce women's inequality, thus perpetuating their limited participation in the realm of formal employment.

### Notes

<sup>1</sup> Also referred to as the Equality Clause in the Bill of Rights.

<sup>2</sup> According to Myakayaka-Manzini, pre-1994, women representatives occupied less than 3 per cent of all parliamentary seats. In 1994, this increased to 23 per cent of the seats in the national and the provincial legislatures. In 1999, 120 women (30 per cent) had seats in parliament. After the 2004 elections, the percentage of women in parliament increased by a further 2.65 per cent; in 2009, this percentage has increased to 45 per cent at national level and 43 per cent at provincial level.

<sup>3</sup> Time poverty refers to the deprivation of time given the number and extent of responsibilities and commitments to which an individual must attend.

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# Prioritising performance monitoring and evaluation: The problem of small provincial legislatures

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## Introduction

Now that South Africa's 2009 elections are over, attention turns to national and provincial governments to fulfil election promises. One of these key promises is to prioritise service delivery and emphasise the need for effective performance monitoring and evaluation of policy implementation and service delivery. The new government has even established a ministry for Performance Monitoring and Evaluation, located inside the office of the president, perhaps a measure of the political importance this function assumes from now onwards.

While prioritising service delivery, and planning and performance monitoring and evaluation is clearly welcome, the key question is how this national function will be aligned with the oversight, performance monitoring, and evaluation responsibilities which elected representative institutions are mandated to perform by the Constitution.<sup>1</sup> While the National Assembly is also mandated to play this role, the nine provincial legislatures are more crucial, as this is where the bulk of service delivery occurs. It is therefore expected that oversight, performance monitoring and evaluation will also assume greater political importance and urgency at provincial level. In the wake of the recent elections, this paper explores and discusses the prospects and constraints undermining effective oversight, performance monitoring and evaluation at provincial level. The paper will argue that the sizes of provincial legislatures are an important structural constraint that will impact on the capacity of many provincial legislatures to fulfil their oversight functions. While other factors, such as resources, skills, proper procedures, and politics, play a role in the effectiveness of legislatures and their committees in performance monitoring and accountability, the size of the legislatures has a major bearing on the nature, scope and complexity of these institutions. The position adopted here is that the majority of provincial legislatures will not be in the position to fulfil the newly prioritised function of oversight, performance monitoring and evaluation effectively, mainly because they are simply too small.

As the new Zuma administration prioritises its electoral pledge for effective monitoring and evaluation of policy implementation and service delivery, the smaller provincial legislatures might not be best placed to turn this pledge into reality. Once the members of the executive and the premiers, as well as the legislative office bearers (ie the speakers, deputy speakers



and chief whips) are accounted for, the total number of the members remaining to engage in legislative activities, including committee work, is so small that these institutions become, for practical purposes, unviable and unsustainable as tools for overseeing and monitoring the work of government departments and holding them accountable. The problem of size in the small legislatures is not a result of the outcome of the recent elections. However, it clearly assumes greater significance as a structural constraint in the wake of the Zuma administration, which has staked its political reputation on its pledge for effective monitoring and evaluation in order to achieve better policy implementation and effective delivery of basic services to the poor.

## Relative sizes of provincial legislatures

South Africa's Constitution sets the size of provincial legislatures at a minimum of 30 and a maximum of 80 members.<sup>2</sup> Within these limits, the actual sizes of individual provincial legislatures are determined through national legislation, which takes into account population size. So the size of each provincial legislature is proportional to the size of the provincial population. In practice though, this may not always be the case. For instance the Northern Cape population is about 1 million, while its 30-member legislature is the same size as those of provinces such as Mpumalanga and Free State, both of them with populations numbering between 3 million and 3.5 million. The size of provincial cabinets is also constitutionally determined. However, this does not take the size of the population into account. In terms of the Constitution, the size of provincial cabinets are set to between five and 10 members, plus the premier.<sup>3</sup> So the provincial cabinets are limited to 11 members drawn from their legislatures.

As Table 1 illustrates, the nine provincial legislatures have memberships numbering between 30 and 80. From this information the nine legislatures were classified into three groups. There are four small-sized (Free State, Mpumalanga, Northern Cape and North West), two medium-sized (Limpopo and Western Cape) and three large-sized (Eastern Cape, Gauteng and KwaZulu-Natal) provincial legislatures. However, after every election the various provincial legislatures elect premiers from among their members. The premiers-elect usually select 10 members for the legislature to constitute an 11-member executive. A similar process is also conducted at national level, where the 400-member National Assembly elects the country's president, who in turn selects members from the National Assembly to become cabinet ministers and deputy ministers.<sup>4</sup> Due to the doctrine of 'separation of powers'<sup>5</sup> as upheld by South Africa's Constitution, the members of the executive are restricted in their involvement or interference in the work of the legislative institution. This serves to ensure that the integrity and effectiveness of the legislative institution is not compromised when undertaking oversight work and holding the executive accountable.

In Table 1, the last column shows the consequent reduction in the memberships of the nine legislatures once the executives have been constituted. For instance three of the four small-sized legislatures will experience a drop in membership to 19, with the fourth (North West) dropping to 22. This is a 33 per cent to 37 per cent loss of membership to their executives by the three legislatures.

Table 1: Relative sizes of provincial legislatures

| Category of legislature | Total seats | Seats excl. MECs & Premiers |
|-------------------------|-------------|-----------------------------|
| <b>Small-size</b>       |             |                             |
| • Free State            | 30          | 19                          |
| • Mpumalanga            | 30          | 19                          |
| • Northern Cape         | 30          | 19                          |
| • North West            | 33          | 22                          |
| <b>Medium-size</b>      |             |                             |
| • Limpopo               | 49          | 38                          |
| • Western Cape          | 42          | 31                          |
| <b>Large-size</b>       |             |                             |
| • Eastern Cape          | 63          | 52                          |
| • Gauteng               | 73          | 62                          |
| • KwaZulu-Natal         | 80          | 69                          |

## Structural impediments for provincial legislatures

As already pointed out, performance monitoring and evaluation has been prioritised as part of Jacob Zuma's electoral pledge for better quality of basic services to the poor. As key institutions mandated to fulfil oversight and performance monitoring at sub-national level, obviously the provincial legislatures have to be part of this new agenda if the ANC's electoral pledge is to be advanced beyond mere populist rhetoric. The key challenge is whether or not these institutions are in the position to help the new government fulfil this pledge; this paper argues that some of them face a debilitating structural constraint as the following argument shows.

In parliamentary systems of government the legislative branch is crucial, but not only for providing democratic legitimation for decisions taken by government, including the use of public resources to finance executive policy programmes and planned activities. The legislature is also crucial for holding the executive accountable on behalf of the electorate, while representing and articulating the views and policy preferences of the electorate in legislative and other policy processes. Similarly, the provincial legislatures in South Africa are mandated to fulfil critical performance monitoring, scrutineering, and oversight functions, while serving as a platform for articulating the views and demands of provincial electorates in legislative and public policy processes. To underline this, all provincial legislatures in South Africa define their functions as 'oversight', 'law making' and 'public participation'.<sup>6</sup>



**Table 2: Relative sizes of committee systems and legislature-to-executive ratios**

| Category of legislature | Total no. of seats | Seats excl. MECs & Premier | Governing party members in the legislature | Total no. legislature committees <sup>7</sup> | Ratios (legislature -to- executive) | Executive as % of total no. seats |
|-------------------------|--------------------|----------------------------|--|---|-------------------------------------|-----------------------------------|
| <b>Small-size</b>       |                    |                            |  |   |                                     |                                   |
| • Free State            | 30                 | 19                         | 11   | 15 <sup>8</sup>                               | 1.7:1                               | 37%                               |
| • Mpumalanga            | 30                 | 19                         | 16   | 15 <sup>9</sup>                               | 1.7:1                               | 37%                               |
| • Northern Cape         | 30                 | 19                         | 8  | 16 <sup>10</sup>                              | 1.7:1                               | 37%                               |
| • North West            | 33                 | 22                         | 14   | 16 <sup>11</sup>                              | 2:1                                 | 33%                               |
| <b>Medium-size</b>      |                    |                            |  |   |                                     |                                   |
| • Limpopo               | 49                 | 38                         | 32   | 17 <sup>12</sup>                              | 3.5:1                               | 22%                               |
| • Western Cape          | 42                 | 31                         | 10   | 15 <sup>13</sup>                              | 2.8:1                               | 26%                               |
| <b>Large-size</b>       |                    |                            |  |   |                                     |                                   |
| • Eastern Cape          | 63                 | 52                         | 33   | 16 <sup>14</sup>                              | 4.7:1                               | 17.5%                             |
| • Gauteng               | 73                 | 62                         | 36   | 17 <sup>15</sup>                              | 5.6:1                               | 15%                               |
| • KwaZulu-Natal         | 80                 | 69                         | 40   | 21 <sup>16</sup>                              | 6.3:1                               | 13.8%                             |

Literature on legislative size states that a legislative institution has to “be large enough to perform the functions for which it was designed”.<sup>17</sup> In addition, the party in power must have enough members in the legislature to sustainably manage the machinery of the legislature and the committee system to fulfil these functions. Therefore Stone (1998) proposes a 10 per cent maximum limit to the cabinet-to-legislature membership ratio.<sup>18</sup> Using Stone's proposed limit as a yardstick, Jacob Zuma's 63-member executive would be slightly over this limit, constituting approximately 16 per cent of the 400-member National Assembly. At provincial level, Table 2 shows that all the provinces also exceed this 10 per cent limit, particularly in the case of the small- and medium-sized ones. Expressed differently, the current ratio of the National Assembly membership to the executive is approximately 5.3:1. Again, using this ratio as a benchmark for the provincial legislatures, it becomes clear that the majority of them compare unfavourably. Only the three large-size provincial legislatures compare favourably, with two of them (KwaZulu-Natal and Gauteng) actually posing better legislature-to-executive membership ratios (6.3:1 and 5.6:1 respectively) than the National Assembly's 5.3:1.

From the above analysis, it is clear that the impact of the loss of membership to the executive is generally more pronounced and potentially more crippling at provincial legislature level than at the national level, particularly for the small and medium-sized legislatures. Some

literature suggests that an effective and functioning legislature should have between 30 and 40 non-executive members and 4 to 5 active committees.<sup>19</sup> Based on this, for the large legislatures (Gauteng, Eastern Cape and KwaZulu-Natal) the impact of losing 11 members to the executives is moderate, given their bigger sizes. As Tables 1 and 2 show, after accounting for the 11 members of the executive, the large-sized legislatures would still be left with well over 50 members to carry out the work of oversight, performance monitoring and holding the executive accountable. For the two medium-sized legislatures (Limpopo and Western Cape) 38 and 31 members respectively will be available to do the work of their legislatures. For the small-sized legislatures of Free State, Northern Cape, Mpumalanga and North West, the loss in human capacity to the executive of between 33 per cent and 37 per cent is considerable.

## Consequences for provincial legislative oversight

Many of the oversight and performance monitoring tasks that the provincial legislatures are required to carry out are demanding but crucial in fulfilling the overall mandate of holding government accountable. These tasks include involvement in legislative debates, oversight work on the field (going on site visits, fact-finding investigations and attending public hearings), as well as involvement in the work of legislative committees (eg being a member and participating regularly in committee meetings).

The greatest bulk of the work of legislative institutions in democracies around the world takes place inside committees. This is because legislative committees are universally acknowledged as the most effective tools for legislatures to fulfil their oversight and performance monitoring responsibilities by undertaking lengthy and detailed scrutineering of the activities of the executive and its agencies to improve accountability. The nine provincial legislatures in South Africa have therefore also evolved elaborate networks of internal committees to carry out detailed oversight and scrutineering work. Elected representatives are crucial in ensuring that committees accomplish their work. However, the members are also routinely expected to get involved in numerous other activities, such as party caucus meetings, activities related to the work of the National Council of Provinces (NCOP)<sup>20</sup> and carrying out constituency work, as well as participating in fulfilling party duties. Therefore the demands on the time of individual members of the legislature are enormous.

While there are considerable extremes and variations in committee membership assignments in legislatures around the world, the literature seems to suggest between 1 and 5 committee assignments per member as reasonable for effective committee systems.<sup>21</sup> Provincial legislatures in South Africa have on average 15 committees; far too many for the majority of them and do not even set limits on how many committees each member can serve on. It is not unusual for members, particularly from the smaller parties with fewer representatives, to serve on as many as 12 committees in a legislature. Inevitably members are over-extended and overburdened with enormous workloads, which reduce their ability to develop expertise and in-depth knowledge of the policy areas falling under the jurisdictions of their committees. This renders committee members ineffective in terms of their oversight and monitoring work at committee level. With the ever-present problems of lack of resources and capacity (eg inadequate facilities, support staff and research assistants)



many provincial legislatures and their committee systems are simply poorly equipped, overwhelmed and unable to cope with the huge oversight, monitoring and accountability enforcement responsibilities required of them. This is more so for small-sized legislatures which are simply too small and, for practical purposes, unviable as oversight institutions.

A compounding factor for many provincial legislatures is the fact that the citizens have increased their demands over the past decade, not only for greater quantities of basic services, but also for better quality, specialised and differentiated services tailored to their unique needs. This in turn has compelled governments to respond by designing ever more specialised and differentiated administrative agencies bound by complex rules and systems requiring specialist skills and sophisticated planning techniques to meet these demands. In other words, the range of responsibilities of modern governments, and the pressures on their limited resources, has grown exponentially as citizens have become more articulate and highly mobilised in expressing their demands.<sup>22</sup> Yet the majority of the provincial legislatures in South Africa are still lagging far behind in terms of institutional capacity to oversee these executive agencies because many of them are too small to develop effective and sustainable systems required to operate at that level of technical competency. Compounding the problem of size for smaller legislatures is the general problem where members of legislatures, especially back-benchers from governing parties, are generally inclined to fall easily into voluntary submission, usually in deference to party discipline meted out by politically powerful and dominant leaders inside provincial executives or party caucuses. This undermines legislative independence as well as effective performance monitoring and accountability by provincial executives.

## Conclusion

Given the structural limitations facing many of the provincial legislatures as discussed in this paper, it might be necessary for the new Zuma administration to rethink their role urgently if these institutions are to play a meaningful role in performance monitoring and evaluation. In particular, the country needs to review the sizes of the smaller legislatures, which are clearly unviable for purposes of effectively holding provincial executives accountable. Given the new political urgency for greater levels of service delivery to the poor and effective performance monitoring and evaluation, it might be time to explore the option of reducing the current number of provinces, by merging some of the smaller ones, to create fewer but bigger and robust provinces with sustainable and effective legislative institutions.

### Notes

<sup>1</sup> It should be noted also that local/municipal councils are also elected representative institutions mandated to oversee, monitor and evaluate the work of municipal executives and their agencies.

<sup>2</sup> The Constitution of the Republic of South Africa, 1996, s. 105 (2).

<sup>3</sup> The Constitution of the Republic of South Africa, 1996, s. 132 (1).

<sup>4</sup> Once Jacob Zuma had been elected president by the members of the National Assembly, he selected 34 members to become national cabinet ministers, and 28 other members of the National Assembly to become deputy ministers.

<sup>5</sup> The doctrine of separation of powers denotes that the key functions and powers of government (legislative, executive and judicial) are assigned to the three different and separate arms branches of the state (parliament, the executive and judiciary) to safeguard democracy by preventing the over-concentration of power and authority in one arm of the state (see [www.paralegaladvice.org.za/docs/chap01/04.htm](http://www.paralegaladvice.org.za/docs/chap01/04.htm)).

<sup>6</sup> For instance, see the Gauteng Provincial Legislature, [www.gautengleg.gov.za/](http://www.gautengleg.gov.za/)

<sup>7</sup> Given that the newly elected provincial legislatures are still to be formally constituted, including the redesign of some of the committees based on newly established provincial departments, these figures related to the committees during the previous term of office (2004-2009).

# Synopsis

<sup>8</sup> [www.fsl.gov.za](http://www.fsl.gov.za).

<sup>9</sup> No information on the number and types of committees could be obtained from the Mpumalanga website. This is an estimate based on the type of legislative committees the other small-sized legislatures had during the 2004-2009 term.

<sup>10</sup> No information on the number and types of committees could be obtained from the Northern Cape website. This is an estimate based on the type of legislative committees the other small-sized legislatures had during the 2004-2009 term.

<sup>11</sup> [www.nwpl.gov.za/about/types\\_of\\_committees](http://www.nwpl.gov.za/about/types_of_committees).

<sup>12</sup> No useful information was available from the Limpopo provincial legislature website. This figure is therefore an estimate.

<sup>13</sup> [www.wcpp.gov.za/content.aspx](http://www.wcpp.gov.za/content.aspx).

<sup>14</sup> [www.elegislature.gov.za/portfoliocommittees/list\\_of\\_portfoliocommittees](http://www.elegislature.gov.za/portfoliocommittees/list_of_portfoliocommittees).

<sup>15</sup> [www.gautengleg.gov.za/site\\_content/standing\\_committees.aspx](http://www.gautengleg.gov.za/site_content/standing_committees.aspx).

<sup>16</sup> [www.kznlegislature.gov.za/default.aspx](http://www.kznlegislature.gov.za/default.aspx).

<sup>17</sup> See Canadian Parliamentary Review (1994), *The Size of Legislatures: Perspectives on Provincial Assemblies*, vol. 18, no. 1, p. 4.

<sup>18</sup> Stone, Bruce (1998). Size and executive-legislative relations in Australian parliaments, *Australian Journal of Political Science*, vol. 33, Issue 1, p. 9.

<sup>19</sup> See White, Graham (1990). Big Is Different From Little: On taking size seriously in the analysis of Canadian governmental institutions', *Journal of Canadian Public Administration*, p. 531, vol. 33, no. 4 & Bennett, Scott (1998). 'The reduction in the size of the Tasmanian parliament, (Research Note 2, 1998-99, Parliament of Australia, department of the Parliamentary Library).

<sup>20</sup> Matters related to Section 76 of the Constitution.

<sup>21</sup> See National Democratic Institute for International Affairs (1996), *Committees in Legislatures: A division of labour*, (Legislative Research Series paper #2), pp. 13 & 16; Rosenthal, Alan (1973). *Legislative committee Systems: an exploratory analysis*, *The Western Political Quarterly*, vol. 26, no. 2, pp. 255-256.

<sup>22</sup> See Stone, Bruce (1998). Size and executive-legislative Relations in Australian parliaments, *Australian Journal of Political Science*, vol. 33, Issue 1, p. 9.



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