

KEEP IT Local

Local democracy is a cornerstone of the new South African state. The Constitution says that local government will provide democratic and accountable government for local communities. Municipalities will build local democracy, which means that the municipal community has the opportunity to elect representatives into office and hold them accountable for their performance. South Africa's choice for strong local democracy is hailed and admired throughout the continent. However, this article seeks to remind political parties to better match their electoral management to these progressive ideals. A few examples of recent political party decisions are discussed and compared with the ideals of strong local government.

Ward and proportional representation: how does it work?

The electoral system for local government is a mixture of ward representation and proportional representation (PR). Ward councillors are necessarily visible and immediately accountable to their ward: if a ward councillor does not perform well, he or she is unlikely to be re-elected. Similarly, if a ward seat becomes vacant during the council's term, the issue is brought back to the voters for a by-election. With PR councillors, it works differently: their names do not appear on the ballot paper, only the party's name appears. Also, when a PR seat becomes vacant, the Independent Electoral Commission (IEC) takes the next person on the party list and declares him or her elected into that seat. From the day that the vacancy arose, the party has 21 days to revisit its list of candidates. In other words, unlike the situation with a ward vacancy, the party has full control over who fills a PR vacancy. (The above rules do not apply during a window period for crossing the floor.)

Member of the Provincial Parliament turns into a councillor?

As an example, only two weeks after the citizens of Cape Town exercised their votes, the African Christian

Democratic Party announced that it is going to bring Ms. Pauline Cupido, a member of the Provincial Parliament, into the Municipal Council at the expense of an earlier elected councillor. This will be done so that she can take up the position as Deputy Mayor. She had earlier indicated to the voters that she was not standing for election. One may wonder whether the decisions of the voters would have been the same if they had had prior knowledge of what would happen. The electorate can exercise their right of choice effectively only when they know for whom they are voting. This includes political parties and the individuals that stand on their behalf. Parties are evaluated not only by their political programmes but also by their ability to field competent candidates.

'Jack-in-the-box' mayor?

Another example is the African National Congress' (ANC's) decision not to disclose its mayoral candidates prior to the elections. Only after the election were mayoral candidates disclosed. Again, one may wonder whether voters would have acted differently if they had known who the ANC's mayoral candidates were to be. If a nomination for a mayoral position is kept under wraps until election day, communities are deprived of their opportunity to quiz the nominee on his or her plans and to make an informed decision.

Local politicians sidelined?

Another example is the recent negotiations around the City of Cape Town's governance structure. The Independent Democrats' (ID's) role was unequivocally and publicly dictated by the national party leader, Ms. De Lille, leaving the local ID politicians looking rather like 'lame ducks'. At the same time, they, and not Ms. de Lille, will be at the forefront of local politics for the next five years.



Comment

It is clear that parties act fully within their rights when they make choices such as those outlined above. It is inherent in the electoral system that the PR vote is cast for a party, not for a person. Similarly, executive office-bearers are elected by the council, not by the voters. Also, national and regional party structures clearly influence local decision making. The centralisation of local government appointment may serve the need to address the poor performance of too many municipalities. It may also be necessary to root out corruption and nepotism.

However, the question is: what can parties contribute to maintain the credibility of the system of decentralisation to local government? The essence of local government is that local decision-making should be done by locally elected representatives who are accountable primarily to the local citizenry. When a voter increasingly feels that the party's hierarchy, rather than her vote, dictates local politics, she may turn her back on the ballot box. The gains made in terms of voter turnout may then be lost.

Alternatively, there may very well be an electoral move towards local parties with no regional or national structure, a common feature in many established democracies. Either way, it seems apposite that the ideals of decentralisation resonate more strongly in political parties' election management.



Dr Jaap de Visser
and
Yonatan Tesfaye Fessha



Local Government Project
Community Law Centre
University of the Western Cape