

INTRODUCTION

THE 2014 ELECTIONS

Game-changer or Continuation of Status Quo?

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The results of South Africa's fifth democratic general election, held on 7 May 2014, perhaps more than those of any other, were awaited with much anticipation. They promised to reconfigure South Africa's political landscape. Not only were new political parties making their debut, the election seemed to be the toughest ever contested by the hitherto dominant, African National Congress (ANC). And this time around the spotlight was not only on the political parties, but also on the election management body, the Electoral Commission of South Africa (IEC). In the midst of the election campaign the commission was gripped by a controversy that was not only a novelty in the 20-year-old democratic South Africa, it threatened to impair the credibility of the organisation.

The ANC went into the election campaign weaker than it had ever been in the 20 years since the first democratic elections, in 1994. Chief among its problems was a scandal around the president of the party and the country's president, Jacob Zuma. The Public Protector, Thuli Madonsela, had released a damning report revealing that the Department of Public Works had spent an amount close to R250-million on what were termed security upgrades at Zuma's private residence in his home village of Nkandla, in KwaZulu-Natal. While it is not unusual for security to be improved at the home of a head of state, in this case, the total expenditure was staggering, far exceeding what had been spent on the homes of his three predecessors – Nelson Mandela, Thabo Mbeki and Kgalema Motlanthe.

The Nkandla scandal put the ANC on the defensive – fending off accusations of corruption while also seeking to tout its contribution to the improvements that had taken place in the country since it took over government. The problems, however, did not only relate to governance, but also to identity. For the first time the party faced an election without the presence of one of its most effective campaigners, the founding father of the democratic republic, Nelson Mandela, who passed away on 5 December 2013, just as the party's campaign got underway. The ANC's challenge, therefore, was to invent a new way of campaigning, without Mandela, which would also entail downplaying the scandal around its president, whilst accentuating its positive record in government.

Added to the ANC's problems was the disarray in its youth league and the entry of a new political party, the Economic Freedom Fighters (EFF), into the electoral process. The EFF is a splinter party, which broke away from the ANC shortly before the 2014 elections, just as the Congress of the People (Cope) had done before the 2009 elections. In its electoral debut Cope won 1 256 133 of the 17 389 246 votes cast (7.42%) and became the third-biggest party after the ANC and the Democratic Alliance (DA). A substantial number of those votes came from the ANC, reducing its electoral support from 69.69% in 2004 to 65.9% in 2009.

Cope's initial success showed that the ANC was vulnerable to splinter groups. The formation of the EFF rekindled that concern. The party had two factors in its favour: a prominent leader and a possible constituency. Although his popularity had not been tested, the EFF's leader, Julius Malema, was certainly conspicuous – he had attracted newspaper headlines almost daily since becoming president of the ANC's Youth League in 2007.

His party targeted South Africa's poor and unemployed with a populist message that not only threatened to eat into the ANC's constituency, it was also likely to capitalise on popular disgruntlement with the incumbent. More significantly, the party would test the resonance of populism in South Africa's public imagination.

As for Cope, the 2014 election was to decide its fate. Its impressive electoral debut was quickly followed by an ugly and a protracted power struggle between two of its founders, Mosiuoa 'Terror' Lekota and Mbhazima Shilowa, who faced each other repeatedly in court either to interdict each other's conferences or to face charges of siphoning party funds. The power struggle precipitated the resignation of leaders of the party, including Bishop Mvume Dandala, who had been Cope's presidential candidate and parliamentary leader. Dandala represented the moral leadership the party had offered the South African public but the unflattering spectacle of the infighting within the party detracted from its moral rectitude and its promise to the electorate of an honest alternative to the ANC.

The initial sign of voters' disapproval of the goings on within Cope was

registered in the 2011 local government elections, when the party performed poorly, especially in its strongholds, such as the Nelson Mandela Bay Metro. The 2014 election would determine whether the party would be resuscitated or condemned to death.

Like Cope, the newly formed Agang-SA assessed the readiness of the black community to sever the class coalition that had historically defined black politics. Formed by a former academic and a businesswoman, Mamphela Ramphele, Agang-SA targeted the black middle class, while also seeking to transcend race. The party was unashamedly middle-class and freemarket oriented, which was unusual for a party led by someone who had been part of the liberation movement – Mamphela was a member of the Black Consciousness Movement (BCM). Agang-SA's performance, therefore, would provide further insights not only into the difficulties of a new party contesting elections, but also into the readiness of society to embrace trans-racial politics.

Agang-SA was not the only party that laid a claim to trans-racial politics. The Democratic Alliance is fond of claiming that it is the most non-racial party in South Africa and has made non-racialism one of its critical objectives, especially in an attempt to overcome a racially exclusive past and a persistent association with whiteness, which solidified, especially under its previous leader, Tony Leon, whose leadership style and rhetoric consolidated the party's support amongst whites and coloureds but did not do as well amongst Africans.

Recruiting Africans became then DA leader Helen Zille's primary objective. Her background put her in a good position to do so. She had once been a journalist for a progressive media house and speaks some isiXhosa as well. In order to pursue that objective, soon after taking over the party, Zille reconfigured it to include young black people in its leadership in both Parliament and the provincial government. For instance, Lindiwe Mazibuko became the party's parliamentary leader and Mmusi Maimane its national spokesperson. Maimane has since succeeded Zille as leader of the party.

The 2014 election would indicate whether or not Zille's strategy was bearing fruit. Under her leadership the party had won its first outright victory in the Western Cape Province, where she is premier and Patricia De Lille mayor of Cape Town. But the challenge was to extend the party's influence beyond the Western Cape, which is predominantly coloured and has the largest concentration of white people, into provinces that are predominantly African. Its performance in such areas would not only indicate whether the DA's strategy was working, but also determine the future of the party as an alternative to the ANC in national government.

In other words, the fifth election, marking the 20th anniversary of South Africa's democracy, was to be the country's most competitive to date. The

governing party was vulnerable, while the official opposition was on the ascendant. Inevitably, the fierce contest played itself out in the media. The public broadcaster, the South African Broadcasting Corporation (SABC), had previously been repeatedly accused of bias in favour of the party-in-government. Members of the SABC Board are nominated by Parliament and approved by the president. Thus, they are often accused of being sympathetic to the majority party, which effectively appoints them.

In addition to the usual suspicion, events within the SABC heightened concerns about political manipulation. The previous Minister of Communication, Dina Pule, for instance, appointed a wholly unsuitable person, Hlaudi Motsoeneng, to the post of Acting Chief Operating Officer (COO). A probe by the Public Protector revealed that Motsoeneng had lied about having passed his matriculation examinations. Despite this, Motsoeneng seemed to be more influential than the Chief Executive Officer, Lulama Mukobo, and the board combined. When it was revealed that he had lied about his qualifications, the board attempted to suspend him but failed to secure political support for the move. Instead, it was, itself, eventually forced to resign. Mukobo, too, resigned, amid reports that she had been sidelined, while Motsoeneng performed the duties of CEO.

Motsoeneng's links to the party-in-government are the only reason he was appointed to a position he clearly did not deserve. The fact that even the board could not suspend him and that a duly qualified CEO was driven out by frustration brought on by Motsoeneng usurping her powers is a further indication that he enjoys political protection and favour. If that was the case, what did his political benefactors expect in return for the appointment? This concern was exacerbated when he accused the independent media of being unpatriotic in their criticism of government and promised to increase positive reporting about government, what others have dubbed 'sunshine journalism', creating concerns that Motsoeneng would use his position to benefit the ANC in the run-up to the elections.

The SABC was not the only public institution to raise fears of collusion with the ANC. The Electoral Commission of South Africa, popularly known as the 'IEC', was a subject of similar concern, sparked by the conduct of its chairperson, Pansy Tlakula. Following the submission of a complaint by the leader of the United Democratic Movement (UDM), the Public Protector found that Tlakula had unfairly influenced the awarding of a lease contract to her business partner, Thaba Mufamadi, who was, at the time, an ANC member of Parliament.

Her actions not only violated the procedures that govern tender processes, they made it appear that she was too close to the ANC. If she could influence the awarding of the contract to an ANC MP, what else might she do, opposition leaders asked. They further claimed that her conduct compromised the independence

of the commission. The Public Protector agreed with the opposition parties and recommended that the matter be referred to the Electoral Court, which should consider the possibility of dismissing Tlakula.

This was the first time a member of the commission had been charged with unethical conduct and the first such case over which the Electoral Court had been called upon to preside. The case was complicated by the fact that at the time Tlakula committed the transgression she had been CEO of the commission, not a commissioner, so it was not clear whether or not the Court, which is empowered to preside over disputes involving commissioners, could also hear cases involving a transgression committed before a person became a commissioner. The Tlakula case, therefore, was significant in two ways – it would set a precedent and it would determine whether acts such as that of which Tlakula was accused might impair public confidence in the impartiality of the commission.

The fifth election, therefore, was not only significant because of the milestone that was the 20th anniversary of South Africa's democracy and the fact that it was the first election to take place after the death of Nelson Mandela, it posed serious questions that had to do with the founding values of the country's democratic society as well as the vibrancy of the institutions that are critical to the health of its democracy.

The articles in this issue of the *Journal of African Elections* cover each of the many issues highlighted above and reach insightful conclusions. Susan Booysen looks at the impact on the ANC of the various challenges it confronted and shows how the spread of the organisation's electoral support is changing as a result.

Sithembele Mbethe ascribes the ANC's continued decline, among other factors, to the formation of the Economic Freedom Fighters. She goes on to argue that the EFF's relatively impressive performance shows the resonance of populism and that the party itself has reconfigured parliamentary democracy.

However, Ivor Sarakinsky and Ebrahim Fakir warn that, historically, splinter parties have not been successful, although the EFF, as a breakaway to the left, may prove more resilient than the more-or-less centrist Cope.

Agang-SA, another new party, did not perform anywhere near as impressively as the EFF. Mashupye Maserumule, Ricky Mukonza, Nyawo Gumede and Livhuwani Ndou explain the party's dismal performance. They attribute the difference in how the two debutants performed to political experience, campaigning and the constituencies each party targeted.

While other opposition parties struggle to survive, Shauna Mottiar singles out the DA as the best-performing opposition party. She explains the party's stunning rise, but also warns that it may battle to grow beyond its current support base because of its failure to deal sufficiently with the racial question. Though the party has attempted to reconfigure its racial outlook and address issues that

affect black people, Cherrel Africa believes racial stereotypes continue to play a prominent role in the DA's conduct, especially in the Western Cape, where it is the largest party. According to Africa, therefore, the DA's attempts to reach out to other racial groups lack substance.

Sarah Chiumbu and Antonio Ciaglia pay particular attention to the way the SABC covered the election campaign and the manner in which the regulator, the Independent Communications Authority of South Africa, dealt with the complaints that came before it. They suggest that the appropriate legislation should be reviewed to ensure that it promotes an open and fair competitive election environment.

Still on the public institutions, Mcebisi Ndletyana draws attention to the way the IEC managed the elections, focusing particularly on the impact of the Pansy Tlakula saga on the commission and its implications for South African institutions and democracy in general.