

Corruption v democracy - Part three

The 2024 elections

- By David Lewis

Part three reflects on the new Government of National Unity that was formed after the 2024 general elections, when the ANC lost its parliamentary majority. The most urgent and most difficult task facing the GNU is to make its impact felt at the provincial and local spheres of government, which remain more deeply corrupted than that of national government.





For the first time since 1994 the ANC's share of the national vote has fallen below 50%, declining from 57.5% in 2019 to 40.2% in 2024. As significant, the provincial shares in Gauteng and KwaZulu-Natal (KZN) provinces fell well below 50%, with the recently formed uMkhonto weSizwe (MK) party, led by none other than Jacob Zuma, capturing 45.35% share of the KZN vote and the ANC share dropping from 54.2% to a paltry 16.9%. In Gauteng the ANC's share of the vote declined from 50.2% to 34.6%. The Democratic Alliance's (DA's) share remained approximately stable at 27.5% in Gauteng and 21.8% nationally.

The ANC leadership has publicly acknowledged that corruption and, associated with it, extremely poor delivery of social services (largely a provincial and local government responsibility), is a leading cause of the electorate's devastating judgment. The upshot is that in the national government and in three provinces (Gauteng, KZN and the Northern Cape), the ANC has had to form or constitute part of a coalition government to continue to participate in a majority government.

In the name of national unity, the ANC, still the largest if not the majority party, has initiated the formation of a national coalition government. Dubbed the 'government of national unity' (GNU) – the ANC invited all parties represented in parliament to join it in co-governing – a national government has been constituted with those parties willing to accept the ANC's invitation comprising the ANC, the DA, the IFP and a number of the smaller parties. The larger of the parties who, in what may turn out to be a major strategic blunder, rejected the ANC's invitation are the Economic Freedom Fighters (EFF) and Zuma's MK party. It is clear that, given their disparagement of the Constitution and the judiciary, both the EFF and MK party would have had difficulty meeting, to the satisfaction of all parties already in the GNU, the first 'fundamental principle' to which all GNU member parties are required to commit namely 'respect for the Constitution, the Bill of Rights in its entirety, a united South Africa and the rule of law.'

The controversy surrounding the GNU centres, predictably, on the ANC's partnership in government with the DA, which garnered the second largest share of the national vote. The ANC has long cast the DA as a 'neo-liberal' white party, determined to reproduce the racial inequality and poverty that, 30 years after the demise of political apartheid, still characterises economic relations and outcomes in the country. The DA, for its part, casts the ANC as irredeemably corrupt and incompetent and, despite its strongly stated commitment to non-racialism, disrespectful of minority rights.

There is a kernel of truth in each of these caricatures. But in dispassionate reality what one is confronted with is a left-of-centre political party and a right-of-centre political party, one of whom overwhelmingly represents the African majority, while the other represents the white minority, entering into what each intends to be a stable governing coalition. Stability would have had no chance of success in an alliance with the EFF, a fact of political life established by its record of deceit and disruption in the metropolitan government co-governance arrangements in which it has participated. The MK party with its rogues gallery of Zondo Commission accused in parliament and a leader, Jacob Zuma, who has committed (for what that's worth) to reject any arrangement with 'Ramaphosa's ANC', refused the ANC's invitation to participate in the GNU. The MK party has now assumed the role of official opposition.

At the time of writing, we were a bare five months into this novel – for democratic South Africa – mode of governance. It is far too early to predict the future path of the GNU. It is a predictably fragile arrangement. My tentative assessment is that the large areas of disagreement will be successfully managed. For example, it would be difficult for the DA to reject the principle of universal health care. It would be equally difficult for the ANC to question the necessity for massive improvements in the provision of public education and other vital public services from water to transport to housing. Once the nature of the problem is agreed, it should not be beyond the ken of a seasoned negotiator like Ramaphosa to lead his ministers – regardless of their party affiliation – in charting a way forward.

However, certain sacred cows – owned by both the DA and the ANC – will have to be slaughtered. The ANC will, quite reasonably, demand affirmative action employment policies and will insist on preferential procurement policies that favour black-owned firms. The DA will have to accept that these requirements are a central aspect of the policy framework governing employment and procurement. Indeed the DA urgently needs to transform the racial composition of its leadership. Neither policies that favour black candidates for



The first Cabinet Lekgotla of the Government of National Unity, held at the Sefako Makgatho Presidential Guest House in Pretoria
Source: GCIS

employment over candidates of equal merit from other race or genders, nor, dare I say, a more transformed DA leadership need compromise merit. By the same token, the ANC will have to accept that decisions regarding the appointment of senior public officials, including the leadership of state-owned entities (SOEs), are made by the state and not by the ANC.

Differences between the ANC and the DA over foreign policy will be difficult to resolve. However this is an area where strong presidential prerogative is widely accepted admittedly in political systems where an executive president is directly elected, but my view is that while this will remain heavily contested terrain, it is unlikely to lead to a breakdown in the coalition government.

The ANC and DA need each other. While the arithmetic enables the ANC, still by some distance the largest party in parliament, to constitute a majority coalition that excludes the DA, it would be a coalition with the smaller parties or it could notionally constitute a governing coalition with either or both of the EFF and the MK party. The former would be unstable, the latter would be politically highly unlikely and, if constituted, chronically unstable. Neither of these combinations would contribute to an ANC-led coalition government's ability to deliver key services, to encourage investment or confront corruption. For all these reasons, arithmetic possibilities notwithstanding, the ANC needs the DA to be part of the national governance arrangement.

The DA, for its part, has probably reached the ceiling of its national share of the vote. It either remains a permanent opposition party or it enters into a co-government arrangement which, if judged successful by the electorate, may enable the DA to break through its current ceiling.

The survival of the GNU depends on the development of an effective dispute resolution mechanism and on the good faith of the two leading members of the coalition and of their understanding that both parties need the coalition. The former – an effective dispute resolution mechanism – requires some variant of an 'agree to

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disagree' option which allows a party to the coalition to opt out of support for a policy supported by a cabinet majority where the dissenting view had been adopted prior to the formation of the GNU.

As for the necessity for good faith, or, at least, recognition that both the ANC and the DA need the coalition, it's clearly the DA that needs to review urgently the palpable reluctance of key leaders of the party to maintain the coalition. Despite clear opposition within the ranks of the ANC to the coalition, the national leadership of the party has firmly stood its ground. On the other hand, powerful leaders of the DA have been carping and argumentative and while certain of their ministers have been energetic and communicative, their public crowing has suggested that, far from crediting the GNU, their early achievements have been used simply to promote the DA and to undermine the competence of their coalition partners.

This is not to deny that the most threatening opposition to the GNU comes from within the ranks of ANC supporters. Having long vilified the DA as the party of 'white monopoly capital' or 'neo liberalism' it has proven difficult to persuade young activists that a governing alliance with the DA is necessary or consistent with the objectives of the 'national democratic revolution' or, much less, with socialism. There is an influential current within the ANC that would have preferred to risk cobbling together an unstable alliance with the EFF and even the MK party, rather than to co-govern with their sworn enemy, the DA. While this is not reflected in the national leadership of the ANC, opposition to the national coalition emanates from the South African Communist Party and, most significantly from the leadership of key provinces, Gauteng and KZN.

In KZN, where the MK party won by a significant margin the largest share of the vote, although one that fell narrowly short of a majority, the IFP, the ANC and the DA have cobbled together a razor thin majority. However, given the rampant history of corruption and poor service delivery in the province, coupled with Zuma's talent for disruption, it is difficult to imagine sustained political stability in this, the most populous province in the country. At the time of writing, it is rumoured, following tensions between the ANC and DA in the IFP/ANC/DA governing coalition, that the ANC and the MK party are actively contemplating forming a coalition government.

In Gauteng, the economic heartland, an urban province housing four metropolitan governments, and with arguably the most diverse, sophisticated electorate in the country, the ANC's share plummeted from 51% to 35%. While the hiding that the ANC took in KZN may be attributed, in part, to the Zuma factor and ethnic mobilisation (though undoubtedly the extremely poor record of ANC governance eased the task of their opponents), the massive decline in electoral support in Gauteng appears to be largely attributable to the quality of ANC provincial government reflected in appalling service delivery and rampant corruption.

The EFF has a history of co-government in several of Gauteng's metropolitan governments with both the DA and the ANC. These experiences are characterised by corruption, declining service delivery and opportunistic king-making on the part of the EFF, manifesting in extreme political instability. Nonetheless, the ANC leadership in Gauteng clearly prefer a governing alliance with the EFF, despite the composition of the national government coalition. While it is wholly possible for provincial coalitions to be constituted differently from the national coalition, the Gauteng ANC has ultimately opted for minority government in a coalition with a number of very small parties thus ensuring continued ANC domination of the provincial executive. A provincial coalition encompassing the ANC and the DA would have ensured a majority government. However if the approach of the GNU were adopted – and the DA insisted on this – the ANC and the DA would, given the close election outcome (the DA received 28% of the provincial vote), have ceded a substantial share of executive posts to the DA. In the event, the Gauteng ANC leadership offered a derisory share of the executive to the DA which was predictably rejected. While, to the limited extent that the provincial ANC has explained its hostility towards a coalition government with the DA, it has invoked ideological differences, a more prosaic (and persuasive) speculation is that ceding too much of the executive to the DA would have exposed the extent and the identities of the ultimate beneficiaries of the massive recent upsurge of corruption in Gauteng.

It's also not clear why the EFF has not joined the Gauteng provincial coalition. Given the national leadership position, entering into a provincial coalition with the EFF may have been a step too far for the provincial ANC. In any event, at the time of writing the EFF appears to be in a rapid downward spiral following a decline in its electoral support in favour of the MK party. Floyd Shivambu, formerly Malema's high profile deput, has decamped to the MK party where he has been appointed secretary general, followed by several high profile MPs as well as Dali Mpofu, erstwhile chairperson of the EFF. While it is speculated that the decline in the EFF may be attributable to major differences within the party concerning participation in the GNU coalition,



more persuasive explanations cite the relative electoral success of the MK party and Malema's unyielding domination of the leadership of the EFF. Zuma will be no less jealous of the leadership of the social movement he has generated than his counterpart in the EFF, but sheer mortality may inspire greater hope amongst aspirants to the leadership of the MK party.

The formation of the national GNU has generated a degree of cautious confidence in government. The local business community and international investors are clearly more bullish and the cynical, despairing mood on the street has shifted to one that is more upbeat. This is probably spurred by a variety of factors: the sense of urgency conveyed by the new multi-party cabinet, the fact that there have been no electricity blackouts for almost six months, the productive cooperation forged by Ramaphosa and business leaders, evidence of the revival of law enforcement and greater accountability of political leaders, whether through the application of the ANC's step-aside rule against leading cadres or successful public pressure imposed upon the DA leader's offensive choice of senior ministry staff, and, least convincing, the promise of an improvement in the provision of basic social services.

Let's be clear: it is the operation of democracy that has brought us to this point principally manifest in a fair and free election in which a large proportion of a dissatisfied electorate either turned away from the erstwhile liberation movement or refused to vote. Despite its three decades of electoral dominance, the ANC leadership has accepted the outcome of the election with admirable grace. It has publicly attributed its electoral decline to the corruption and poor service delivery associated with its governments at the national, provincial and local tiers. The DA has, with strong exceptions amongst its leadership ranks, been able to put aside its hostility to the ANC and the ANC's disparaging attitude towards it and joined it in a governance arrangement that reflects the outcome of the election and which recognises the governance crisis in which the country has been mired.

This represents a fundamental change in the ANC's character, one that commenced in 1994 and which is confirmed by this governance arrangement. An organisation waging an underground struggle in order to displace a manifestly anti-democratic government is a liberation movement. It is entitled, indeed it is compelled, to operate in secrecy and to demand unquestioning obeisance to its underground leadership. It is also entitled to demand recognition as representative of the people, particularly when its domination of the liberation struggle has been effectively uncontested for as long as has been the case with the ANC. It appropriately led the people when the conditions of surrender were negotiated with the representatives of the illegitimate government.

When the negotiations are concluded and, as in the South African case, it agrees to contest democratic elections it effectively commenced the transition from liberation movement to political party. Transparency, both with respect to its relationship with the public and in its internal operations, replaces secrecy and opacity. And 'the people' become 'the electorate'. When, in the first few elections, the erstwhile liberation movement cashes in its liberation dividend in the form of massive electoral majorities, it may be forgiven for continuing to believe that its status as representative of the people still pertains, when in fact its claim to representativity only extends to those who voted for it. Accordingly when those huge post-liberation electoral majorities decline, as they invariably do, this claim rings increasingly hollow. When it loses the majority support of the electorate and it is no longer capable of governing on its own, its transition from liberation movement to political party is complete. It will govern, if at all, in proportion to its share of the electorate.

The outcome of the 2024 election thus represents the definitive transition of the ANC from liberation movement to modern political party. As noted, the ANC leadership has accepted this transition with grace and admirable pragmatism, something that few liberation movements have achieved.

There are those in the ANC who continue to insist on its past status as a liberation movement representing the people, despite the fact that by the objective measurement of representativity in a democracy it received the support of about 40% of the votes cast, with those only representing about 58.6% of eligible registered voters.

There are those, usually the same individuals, who mourn the derailment of the national democratic revolution, a consequence, it is argued, of the co-governance alliance with the DA, but who insist that it's a temporary expedient that will be ended as soon as the ANC majority is restored. They are wrong on both counts.

Firstly, the restoration of the ANC's electoral majority is nowhere on the horizon. It will take several electoral cycles for the public to forget the extremely poor governance record of the ANC majority



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administrations, particularly in the period since the accession of Zuma to the presidency. If the GNU succeeds in reversing the depredations of state capture and its long aftermath then the ANC will have to share the plaudits with its coalition partners who will be sure to milk a positive, stable coalition government experience for all its worth. Moreover, democratic elections tend to favour small governing majorities and proportional representation favours small parties. So there is no reason to expect the restoration of an ANC majority anytime soon. On the contrary, if the Gauteng government, a minority government but dominated by an ANC that has chosen to co-govern with the small parties only, continues on its present destructive path of corruption and purposeful distance from its national leadership, the electorate will justifiably assign responsibility to the ANC alone. The consequences will be particularly hard felt in the 2026 local government elections.

Secondly, far from delaying the journey towards the realisation of a national democratic revolution, the transition of the largest party from liberation movement to political party and the electoral impetus that favours the centre advances the realisation of a national political democracy. However there is one significant obstacle on the path to the realisation of a stable democracy and that is the increasing inequality in wealth, income and economic opportunity.

This challenge confronts democracies across the globe. The fact is that while liberal democracy has, in the period since the 1980s, created and defended an array of individual and collective rights, the same period has been characterised by increasing national inequality and economic insecurity. It has, in other words, not delivered its promise of improved living standards for a large segment of the population. This contrasting experience in the delivery of individual rights and deteriorating living standards is grist to the mill of the new populist demagogues and a withering critique of liberal democracy.

In the relatively longstanding democracies of north America and Europe not only are an array of once powerful interest groups – interest groups that were beneficiaries of post-war democracy and economic growth – on the wrong end of growing inequality and insecurity, their diminishing fortunes and perceived lack of influence over elite decision-makers is easily viewed as a sharp contrast with the increasing array of rights perceived to be enjoyed by other groups. This fed into the culture wars in which allegedly traditional values are pitted against an array of groups – women, LGBTI+ groups, immigrants, refugees – whose culture and rights appeared to be more robustly promoted and defended by courts, non-governmental organisations (NGOs) and centre and left-of-centre political parties. It particularly contrasted the economic fortunes and prospects of the traditional working class with those who were perceived, usually without evidence, to be economically benefitting from the declining fortunes of the national working class, namely immigrants and foreign nationals. And not only foreigners: many of the groups, including women and people of colour, who were perceived as unfairly advantaged by the various elite formations in the culture wars, were also perceived, again with scant evidence, to be treated preferentially in access to economic opportunities, notably jobs and education.

The new democratically elected populist regimes are true to their electoral base inasmuch as they explicitly rail and legislate against those groups deemed to be culturally alien and their liberal elite supporters in the NGOs and philanthropies. They have set about weakening the judiciary and the regulators who were deemed to have undergirded these rights in the process attacking and diminishing the rights acquired under liberal democracies. This attack, initiated and led by democratically elected representatives, is characterised by Mounk (2018) as ‘democracy without rights.’

However, while the demagogues have successfully fuelled the culture wars, they have not been able to reverse their voters’ economic decline. Nor is this surprising. Powerful competing nationalisms, not to mention global supply chains, make trade wars and protectionism difficult to sustain and potentially damaging, even in the short term, to the aggressor. Moreover, while the illiberal democrats may present themselves as allies of ‘the people’ in the culture wars, they remain wedded to – and financed by – the economic elites who have with



increasing intensity since the 1980s been the principle proponents of small government expressed as tax cuts (benefitting the rich) and austerity, at least with respect to social programmes, thus prejudicing those who rely upon public services.

South Africa confronts particular problems in this regard. Inequality and unemployment rank with the highest in the world. Economic growth barely registers. Training and education produce abysmal outcomes with the result that a large proportion of those who are unemployed, including those who have just completed their secondary, and even tertiary education, are unemployable in a modern economy. Basic economic and social



President Cyril Ramaphosa hosting a working dinner with leaders of political parties that are signatories to Government of National Unity (GNU) at Genadendal, the President's official residence in Cape Town. Source: GCIS

infrastructure – think Eskom and Transnet – have been run into the ground. And those who are on the wrong side of the inequality divide, who are jobless and who are reliant on deteriorating public services, mirror the racial divides of apartheid. There can be no gainsaying the damage that state capture has done to South Africa's democracy and economy. Indeed, as the country confronts the task of reconstruction, the damage to key institutions appears greater than the worst estimates. Fixing the democracy will constrain corruption and this will undoubtedly lay the necessary foundation for economic recovery. But much more is required and as long as the South African democracy proves incapable of improving the lives of all those who live in it, so long will the demagogues and populists find fertile ground on which to confront democracy.

The following represents a bare minimum of what is required from the GNU:

- Detailed and sustainable policy solutions to the huge problems of poverty and inequality and the powerful racial profile of each are beyond the remit of this article (and the capabilities of the author). However, note the following headline observations: Poverty and inequality are best tackled by employment creation and the reliable provision of basic quality public services like health, housing, education and transport. Public services are largely the responsibility of provincial and local government, tiers of government more deeply corrupted than that of national government with a predictable impact on these basic public services. If the GNU is to be the harbinger of reduced corruption and improved public services, its impact has to be felt at the provincial and local tiers of government. This will not occur naturally. If the GNU cannot drive it, the toxic impact of continued rampant corruption at these tiers of government will undermine the credibility of a corruption-resistant, democratic GNU and the entire house of cards will collapse. This is possibly the most urgent and most difficult task facing the GNU and the provincial coalitions and underlines the danger of continued political instability and rampant corruption in Gauteng and KZN.



- This emphasis on effective, corruption-resistant delivery of basic services suggests that particular attention should be accorded to the governance of the metropolitan and large town governments. However five of the nine metros are in Gauteng and KZN. Whether a Johannesburg or an eThekweni can thrive in the context of corrupt and unstable Gauteng and KZN provincial governments is doubtful. Certainly in Gauteng, the corrupt provincial ANC leadership seems more concerned to capture the governments of the metropolises than to provide effective health and education services.
- If the metropolises are to be centres of economic renewal then it is urgent that services and living conditions in the high-density urban areas are vastly improved. This will entail moving large numbers of people out of these high-density inner city areas. Consequently new high-density housing provision must concentrate on the urban areas not on townships that are vast distances from work opportunities *a la* apartheid.
- Mass employment creation will occur, if at all, in the private sector and not the public sector. This requires a substantial increase in investment which is indisputably repelled by rampant corruption and political instability. It is well documented that investment in the extractive sector, which usually has a higher appetite for risk than other sectors, has been put off by corruption and incompetence in the relevant government agencies. In general, private investment is highly responsive to the external environment including the regulatory environment and the quality of public services – for example, employee transport – which in turn are heavily conditioned by the extent and character of corruption.
- Small enterprises, including informal enterprises, are celebrated for their labour intensity. These enterprises are significantly under-represented in South Africa's industrial structure. Both are heavily dependent on the quality and character of local services – for example zoning regulations, reliable electricity provision and security services – all of which are significantly impeded by corrupt local government. For example, there is no doubt that the informal sector in Johannesburg's old Central Business District is the regular prey of a corrupt metropolitan policing service.

While improvements in the living standards of the poor will go a long way towards consolidating the South African democracy there are other vital institutional measures that need to be taken if the democracy is to be consolidated. These include tighter regulation of party political funding, indeed wide-ranging regulation of political parties; reviewing the electoral system to strengthen the accountability of parliamentary representatives to the electorate; and providing for a system of appointing senior public officials that undergirds the relative autonomy of the state from political parties. The most vital institutions that need protection if the democracy is to be sustained are the Independent Electoral Commission (IEC) and the judiciary. In the case of the latter particular attention has to be given to protecting the independence of the Judicial Service Commission (JSC).

In conclusion then, the South African experience of state capture demonstrates that in order to sustain corruption on the scale of that practiced during the Zuma administration, it is necessary to destroy the institutional pillars of democracy. Those crippled by the efforts of Zuma and his cronies included the criminal justice institutions, parliament, the ministry of finance and key associated institutions such as the South African Revenue Service (SARS) and the then overwhelmingly dominant ruling party. But democracy struck back in the shape of four institutions inextricably associated with a functioning democracy – the judiciary, an independent body governing elections, a relatively independent media and an active civil society.

Above all if democracy is to be sustained and if these institutions are to be protected, then it must be clearly demonstrated that its benefits are manifest in significant improvements in the material well-being of all the people, classes, races, genders and regions of the country.

REFERENCE

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