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# Strategies for ensuring sustainable democracy in South Africa

## Summary

This article examines the South African experience of democracy and focuses in particular on the democratisation of South Africa's government and administration. The democratisation process has not been problem-free. The tone was set by the negotiation of the 1993 Interim Constitution Act, and later the promulgation of a 1996 Constitution Act. Both these Constitution Acts made provision for a host of human rights and for a democratic dispensation intended to function in a multiparty context. To promote sustainable democracy, and to ensure that the majority of constitutional principles are upheld as far as possible, various checks and balances have to be built into the South African governmental system. It is essential that all public functionaries be accountable for their actions and/or lack thereof. This article examines some of the mechanisms or strategies to keep democracy vibrant and to ensure that public functionaries serve the general good, and do not pursue selfish, parochial interests.

## Strategieë om 'n volhoubare demokrasie in Suid-Afrika te verseker

Hierdie artikel ondersoek hoe die demokrasie in Suid-Afrika ervaar word en fokus veral op die demokratisering van die Suid-Afrikaanse regering en administrasie. Die demokratiseringsproses was nie sonder haakplekke nie. Die onderhandeling van die interim Grondwet in 1993 en die promulgering van die Grondwet in 1996 was toonaangewend vir die demokratiseringsproses. Albei hierdie Grondwette het voorsiening gemaak vir 'n wye verskeidenheid menseregte en vir 'n demokratiese bestel wat in 'n veelpartyopset moet funksioneer. Om volhoubare demokrasie te bevorder en om te verseker dat die meerderheid van die grondwetlike beginsels sover moontlik gehandhaaf word, moet verskeie wigte en teenwigte in die Suid-Afrikaanse regeringstelsel ingebou word. Dit is noodsaaklik dat alle openbare funksionarisse verantwoordelik gehou moet word vir hulle optredes of die versuim daarvan. Hierdie artikel ondersoek sommige van die meganismes of sogenaamde strategieë om die demokrasie lewenskragtig te hou en om te verseker dat elke openbare funksionaris die algemene welsyn dien en nie selfbelang najaag nie.

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South Africa has undergone some radical changes since the early 1990s. The process was initiated in 1990 when Nelson Mandela was freed from prison. In April 1994, South Africa held its first democratic election, which facilitated the transformation of South Africa into a democratic state. In 1999 further elections were held, strengthening South Africa's democracy.

Prior to 1994, South Africa was characterised by white minority domination, while the majority of the population, notably black Africans, had never had the vote and were unable to participate in the government and administration of the country. In the so-called apartheid era, or pre-1994, South Africa was also regarded as a paternalistic parliamentary state in which the white minority decided what was best for the black majority.

Significant change and a real democracy were brought about in 1993 as a result of the negotiation of the interim *Constitution of the Republic of South Africa, 1993* (Act 200 of 1993, repealed), and later the promulgation of a more "permanent" Constitution Act, namely the *Constitution of the Republic of South Africa, 1996* (Act 108 of 1996) (hereafter referred to as the 1996 Constitution Act). Although the process of change has not been without its initial difficulties, the government and administration of the country have brought about a radical change in many aspects of civil society.

This article traces some of the developments that have taken place since 1994 and explains what kind of progressive changes and/or steps have been implemented by the new government and how these have resulted in a government and administration underpinned by openness and transparency, rather than dogged by problems of paternalism and secrecy, as was generally the case in the previous dispensation. In order for South Africa to strengthen and consolidate democratic principles and practices, and to sustain a democratic dispensation, a number of strategies have been put in place. These include:

- using 'bottom-up' management;
- government fostering participatory democracy;
- citizens demanding accountable public administration, and
- government ensuring widespread citizen participation in all spheres (tiers or levels) of government.

These aspects will be dealt with sequentially. A background sketch of the South African context will first be given, then a definition of democracy provided, whereafter the need for sustainable democracy within the South African context will be highlighted. It will also be emphasised that South Africa is now a constitutional democracy which makes an appreciable difference to the way in which the country is presently governed and administered.

## 1. Background sketch of the South African context

Since 1994 South Africa has had two democratic elections. Prior to 1994, the majority of South Africans, notably black Africans, were excluded from the highest levels of government and administration of the country. With the release of Nelson Mandela from prison in 1990, and the repeal of apartheid legislation, South Africa underwent a metamorphosis. The whole face of South African government and administration began to change. These changes were given further impetus in April 1994 by the first democratic election in South Africa. In 1999 South Africa once more had democratic elections in the central and provincial spheres (tiers or levels) of government. Local government elections are scheduled for 2000.

Although South Africa is a fledgling democracy in comparison with some of the developed Western nations, it is nonetheless able to hold its own in the international arena, because of all the skills and expertise concentrated at the southern tip of Africa, and because it is starting to consolidate its democratic experiences. Some commentators have even termed South Africa the "powerhouse" of the African continent. However, Lardeyret (1993: 164) warns that the prospects for sustainable democracy in South Africa are grim if it does not build big but moderate multi-ethnic parties. Cleavages along ethnic and ideological lines could be the downfall of the country and may lead to the demise of democracy; for example, if parties are largely aligned and grouped in terms of race, as is presently the case with the African National Congress (ANC) and the Democratic Alliance (DA) (an alliance of the Democratic Party and the New National Party). The current perception is that white is "ganging up" against black.

Clearly, the whole democratisation process in the South African context has been taken seriously because of the sordid segregation legacy from which South Africa has emerged. All South Africans are, therefore, committed to ensuring that democracy is sustained and that human rights will never be abused again. The maintenance of a democratic ethos could ensure that the government and administration of the country remain open and transparent, as has been specifically prescribed by the 1996 Constitution Act. But South Africans should cherish their new-found democracy and should eschew complacency, since most countries in sub-Saharan Africa have struggled to sustain democracy. For instance, in Zimbabwe democracy is still relatively unstable, while in Nigeria there have been many attempts to attain democracy with only limited success (Diamond *et al* 1990: 351). Furthermore, Huntington (1993: 11-3) states that in post-colonial Africa many leaders converted to democracy very grudgingly and that there is always a tendency to revert to personal dictatorships, military regimes, one-party systems, or a combination of these. So, South African democracy should be carefully guarded if future generations are to enjoy it.

If mechanisms cannot be found to provide for the enhancement and retention of democratic principles, South Africa could easily degenerate into a one-party state due to the fact that the ruling party has received such overwhelming support at the polls, both in the 1994 and the 1999 elections. The one-party state scenario should be guarded against in the years that lie ahead. Thus effective, strong opposition and exacting accountability from public functionaries are activities essential to the survival of South African-style democracy. Nevertheless, the 1996 Constitution Act has put in place a significant body of principles that would preclude the government, or any opposition for that matter, from entrenching anti-democratic values in legislation in the country.

## 2. Definition of democracy

The word democracy (Greek *demokratia*) comes for the Greek words *demos* (people) and *kratia* (rule or authority). In other words, rule by the people — meaning all the citizens in the city state of Athens. Although during that stage of history women, children, aliens and

slaves were excluded from voting, all true citizens took an active part in public affairs. In the Hellenistic period public affairs entailed arranging public meetings of citizens and evoking discussions on various matters in public *fora*. This was a form of direct as well as participatory democracy (see below for further elucidation about participatory democracy) that would be impossible nowadays, given the size of the population in most countries. Today, therefore, there is representative democracy in most developed and developing nations (Cloete 1993: 4-7). In a representative democracy one person represents thousands or even millions of inhabitants in the legislature(s). Other categories of democracy are social democracy, consociational democracy, liberal democracy, people's democracy, and pluralist democracy (Cloete 1993: 6-10). South Africa is, *inter alia*, a representative democracy.

The last part of the twentieth century has been a period of widespread democratisation. Various types of democracies have been spawned all over the world, including Africa where development prospects are bleak and funding mechanisms have emerged for "political parties for the purposes of re-democratisation of politics" (Southall & Wood 1998: 202-3). For instance, even Mozambique "crossed the bridge" of democratisation in an electoral process in 1994, while still being rated as one of the poorest countries in the world.

Against this backdrop, the most serious challenge to Africa is the sheer survival of nascent and fragile democracies (Friedman & Hlophe 1998). The "survival test" (sometimes referred to as sustainability) is indeed a practical one in Africa. The question of the consolidation and sustainability of democracy is a paramount issue on the African continent, including South Africa. Sustainability is essential because it is a prerequisite for prosperity and progress in any nation (Dahl 1998: 58).

## 2.1 Representative democracy

Most people in South Africa today believe that democratic forms of government are the most conducive to promoting equality and justice and the easiest to justify to those who question authority. But what makes a government democratic? Is it possible to have the di-

rect votes of all citizens on most political decisions, outside of the smallest units of political parties? Can one remedy or improve this process by electing responsive representatives? Furthermore, is it possible for someone against whom I voted to represent my interests?

Fundamental to all these queries is the question that most ordinary South Africans ask themselves: What is democratic representation? Once one has established an adequate conception of representative democracy, one must still show that it is the most desirable form of government — at least for certain societies. What intrinsic and extrinsic features of democratic procedures and institutions make democratic government most desirable?

The answer to all these elements is at the base of what it is that is to be represented, whether it is objectively determinable, or based on the relative capacities of representatives and constituents. What is the nature of the issues and principles or values to be decided? Given this situation, political participation as a substantive activity may often seem remote from the realities of political life. But participation is nevertheless important in any democratic dispensation because citizen participation is essential to making binding decisions (Dahl 1989: 109).

A political representative — at least the typical member of a legislature — has a constituency rather than a single principal. This raises the question of whether such an unorganised group can even have an interest to pursue, let alone a will to which it could be responsive, or an opinion before which it could attempt to justify what it has done. These problems are exacerbated by growing voter apathy, ignorance and malleability.

This paper presents a better way of looking at democratic participation than that which conceives of this process as primarily about public, institutionalised arrangements involving many people and groups, and operating in complex ways through large-scale social arrangements. The process of representation is not a single action by one participant, but the overall structure and functioning of the system, the patterns emerging from multiple activities of many people.

Moreover, this becomes substantive representation if the interests of ordinary people are presented in government action, even though

they do not literally act for themselves. Insofar as this matter of substantive acting for others is concerned, it requires independent action in the interest of the government, in a manner at least potentially responsive to ordinary people, yet not normally in conflict with government wishes. Perhaps this may make sense and be possible in South African politics if one understands how and where to look for it.

The liberation movement's original principles of equality and democracy were not the only factors compelling the representation of blacks through universal suffrage. Full democratic participation, it was envisaged, would also help to "consolidate" and complete the movement's "democratic revolution" (Friedman 1998: 45).

For about 200 years white South Africans (mostly from Afrikaner backgrounds, but including some like-minded English-speaking South Africans) who were, ironically, the most vociferous proponents of democracy and gained power through the mechanics of pseudo-democracy, refused to share it with other population groups. They concentrated on their own peculiar version of democracy. In February 1990, however, matters started to change, and it was the Afrikaner in particular who began — under the weight of international pressure — activities which brought about full democracy for all population groups (Cloete 1993: 179).

One of the first initiatives towards democracy was the release of Nelson Mandela from prison; this was followed by the unbanning of a number of hitherto banned organisations. Thereafter many racially-based laws were repealed, thus effectively removing racial discrimination from the statute books. This signalled the beginning of a new democratic era in South Africa. However, it is important not only to achieve a democratic dispensation, but to ensure that it is consolidated and sustained over the years. Therefore various measures have to be taken to ensure that democracy, especially in the African context, remains vibrant and viable for future generations.

## 2.2 Sustainable democracy

Smith (1996: 165-66) maintains that there are certain prerequisites for sustainable democracy, something that South Africa has to take

note of and jealously guard lest the country lapse into a pseudo or so-called façade democracy. Cammack *et al* (1993: 8-9) sound some serious warnings regarding new states emerging from "colonialism" and "oppression" to independence and their nonchalance about institutionalising liberal democracy. For instance, Cammack *et al* (1993: 11) mention that the new political elites of the 1950s and 1960s lacked experience with (liberal) democracy and felt little commitment to it. Some of these states even used state power to further personal and group interests. There was also the problem of the lack or absence of multiparty politics. For instance, in South Africa the minority dominated the majority without any countervailing resistance or effective opposition. In many cases, but especially in Third World countries, democracy proved fragile and gave way to single-party and/or military regimes. South Africa should thus be sure to cherish its fledgling democracy as it could all too easily become an authoritarian state if the majority party were to gain and wield too much power. There are already signs that things are not progressing well, for instance unacceptable levels of corruption. This state of affairs has occurred despite a highly progressive Bill of Rights ensconced in the 1996 Constitution Act. According to Diamond *et al* (1990: 6-8), in developing countries such as South Africa, democratic stability hinges on a system of government that is highly inclusive at all levels of political participation in the selection of leaders. Extensive competition between individuals and groups, adequate citizen participation, and political and civil liberties must exist before one can speak of a real democracy, let alone a sustainable democracy.

Smith (1996: 165-6) highlights the following aspects, which could very well apply to South Africa, as necessary to ensure sustainable democracy, namely:

• Economic development and stability

It is claimed that increased affluence reduces discontent and poli-

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1    Liberal democracy espouses the notion that all people are politically equal and that majority rule should prevail; liberal constitutional democracy requires regular elections and the presence of majority and minority parties (Cloete 1993: 8).

tical disorder, while improved economic conditions help in sustaining democracy. It is thus essential that South Africa strive to improve its low economic growth and progressively reduce its poverty levels. If the latter cannot be achieved, citizens will become increasingly dissatisfied with the new dispensation and could rise up against the government or, intentionally or unintentionally, undermine South Africa's new-born democracy.

- Equality

  Democratic stability is usually "dependent upon the benefits of growth being relatively equally distributed" (Smith 1996: 165). Equality in society can secure peace and stability. There are thus a number of initiatives that the new South African government has set afoot, the most significant one being the Growth, Employment and Redistribution (GEAR) strategy. It is said that inequalities in land distribution and wealth are less conducive to democracy than a more egalitarian social structure; in fact, tensions and polarisation could result if there are extreme disparities between the "haves" and the "have-nots" in any society. So South Africa will have to carefully monitor the inequalities in society and try to address/redress them wherever possible.

- Political culture

  A low level of political culture can undermine democracy, while a culture in which rationality and balance exist will promote the democratic cause. However, a lack of commitment to democratic principles, procedures and beliefs on the part of African political elites, for example, has made it difficult to sustain democracy on the African continent. In other words, South Africa will have to be cautious that it does not degenerate into the same unsatisfactory conditions as some of the other African countries where only lip-service is paid to democratic principles and practices.

- The development of civil society

  Another factor sustaining democracy is a balance between state power and civil society. South Africa has to be particularly careful in this area because the ANC obtained an overwhelming majority in both the 1994 and the 1999 general elections. For democracy to thrive in South Africa, a number of checks and balances must

thus exist in society. In developing countries this can be done by the introduction of a plurality of autonomous associations, for example, intellectuals, traditional leaders, professionals, trade unions, business associations, religious groups, students, journalists, etc. In other words, a vibrant civil society is necessary for a stable, responsive and accountable government. If the functions of civil society are suppressed, negated or watered down, democracies usually degenerate into authoritarian regimes. Indeed, Lehning (1998: 5) writes that civil society is seen as indispensable to the functioning of democracy since it enhances the pluralist dimension. Civil society helps to regulate constitutional democracy and also plays a role in socio-economic and socio-cultural factors. These aspects ensure the continuance of stable and effective democratic government and facilitate citizen engagement in community affairs (Lehning 1998: 6). Civil society and the state can act in a mutually reinforcing manner through their common support for the legitimacy of state rule. Succinctly, civil society is conducive, indeed indispensable to good governance (Lehning 1998: 8).

## 2.3 Constitutional democracy

Until 1994 South Africa was a parliamentary democracy. In other words, parliamentary sovereignty prevailed. But in 1994 South Africa's progressive interim 1993 Constitution Act transformed the country into a constitutional state where the constitution was the sovereign law of the country and every piece of legislation could be tested against the principles contained in the Act (later, that of 1996); contentious matters could be taken to the Constitutional Court, which is the highest court on all constitutional matters (cf section 167(1) of the 1996 Constitution Act).

To maintain constitutional democracy in South Africa, there are also a number of other institutions supporting constitutional democracy. Most of these institutions are to be found in Chapter 9 of the 1996 Constitution Act. Briefly they are: a public protector; a human rights commission; a commission for the promotion and protection of the rights of cultural, religious and linguistic communities; the commission for gender equality; the auditor-general; the electoral

commission; and the independent authority to regulate broadcasting. One could say that these institutions/bodies are the "watchdogs" of democracy, although their functions will not be elaborated further in this paper. What could, however, be added here is that, according to Rawls (Lehning 1998: 4), the institutions of constitutional democracies should satisfy the following conditions:

- respect for the rule of law;
- protection of fundamental freedoms or rights;
- secure property rights, and
- conformity to the principle of majority rule in the making of public policy.

South Africa complies with the aforementioned four conditions. The rule of law and human rights have been ensconced in Chapter 2 of the 1996 Constitution Act. The Bill of Rights ensures that where there is any infringement of human rights, the matter can be settled in the Constitutional Court, in another court of law, or by one of the other institutions established to support and promote constitutional democracy (Cloete 1996: 127-28).

Lehning (1998: 4) proceeds to explain that, in his opinion, five criteria fully specify the democratic process, namely:

- equal votes;
- effective (citizen) participation;
- enlightened understanding;
- inclusiveness regarding all role-players and stakeholders, and
- the ability of citizens to exercise final control over their agenda (Dahl 1998: 37-8).

As will be seen, South Africa complies with at least four of these criteria, although there may still be a slight lack in the area of "enlightened understanding." This can, however, still be achieved and/or enhanced through voter and citizen education. It may also be achieved if more citizens become involved in decision-making processes at the grassroots level rather than allowing the elites to usurp this role exclusively to themselves (Swanepoel 1997: 5).

## 2.4 Rawlsian democratic principles

It is important to expand on the point made above on the fundamental democratic principles that John Rawls writes about in his *A Theory of Justice* (1972). This book has had a significant influence, not only because it is a particularly impressive demonstration of the power of argument in politics, but also because it reveals the attraction of a sustained argument about democracy beginning with values that can plausibly be taken as first principles.

Furthermore, Rawls claims that as one is concerned with the basic questions of justice in South Africa, and wishes to discover the rules and traditions that would provide a basic structure for South African democracy, one ought to proceed in the following way. One ought to imagine a congress of men and women who do not belong to any particular society, and are gathered together in a kind of constitutional convention. Rawls is actually asking one to think of a gathering such as South Africa's CODESA convention held at Kempton Park. Furthermore, he asks what it is that might have been gained from CODESA — what democratic principles has South Africa come up with in the whole process of negotiations towards governing South African democracy?

The conclusions that Rawls reaches involve two principles. First, he writes that everyone should have, to the greatest extent consistent with everyone's rights, the basic liberties protected under the law. He is referring, in a sense, to South Africa's Bill of Rights. But it is his second egalitarian principle that presents a particularly interesting and yet ironic thesis in terms of South Africa's situation. Rawls (1972: 98-102) writes, "every economic change in society should be in favour of the least advantaged". He distinguishes between the two principles. However, the second principle is rather distorted when it comes to South Africa in that it is the majority whose condition has to be improved by government.

The two principles are suitable for a well-ordered society in that they assure the protection of the fundamental interests that members of such a society are presumed to have. Furthermore, reasons for this conclusion may be given by describing in more detail the notion of a free person. Thus one may suppose that such persons regard them-

selves as having the highest order of interest in how all other interests, including their fundamental ones, are shaped and regulated by social institutions. By ensuring sustainable democracy, a well-ordered society can be facilitated, as detailed below.

## 3. Strategies for ensuring sustainable democracy

This section of the paper deals with four strategies that may help to promote sustainable democracy. It should be noted that these techniques are by no means exhaustive, but do nevertheless give an indication of how South Africa can pursue the maintenance and sustenance of its infant democracy.

### 3.1 'Bottom-up' management

The former Nationalist government practised a 'top-down' managerial style whereby the majority of the population was kept in subjugation through a spate of legislative measures unilaterally foisted upon them (Hilliard & Kemp 1999a: 356). To address some of the shortcomings of the previous dispensation, the 1996 Constitution Act makes specific provision for a host of safeguards to ensure that policies are no longer imposed upon the population. For example, section 15(1) makes provision for freedom of belief and opinion; section 16 for freedom of expression, provided it does not incite violence or hatred; section 17 for freedom of assembly, demonstration, picket and petition; section 18 for freedom of association; section 19 for political rights. Everyone also has the right of access to information held by the state (section 32); the right of access to the courts (section 34); and the right to expect the government to be responsive to their needs (section 1). It is clear that the new government, in many ways, wants to encourage citizens to participate in the government and administration of the country, and desires to avoid secrecy wherever possible. Thus the constitutional need for transparent public administration becomes all the more pertinent in the new South Africa. Transparency is, therefore, also entrenched in the 1996 Constitution Act (section 195(1)(g)).

In the 'old' South Africa public policies generally emanated from the top, while in the post-apartheid era citizens are realising more

and more that policy initiation can and should come from the bottom of the hierarchy, from the grassroots level (Hilliard & Kemp 1999a: 356). So, citizens will and usually do try various mechanisms to make their voice(s) heard by the authorities, for example petitions, marches, placards, personal visitations, suggestions, and many other ingenious ways of driving home a point to political office-bearers. Citizen participation is also the ideal mechanism to build the capacity, skills and expertise of those members of society who were not drawn into government or administration by the previous regime (Hilliard & Kemp 1999b: 48). According to Dahl (1998: 98) citizen participation is so important because it means *inclusive* citizenship, which is essential in the new South Africa.

Constitutional liberal democracy demands that citizens participate in decisions and policies affecting their lives because they are the ones to exercise final political control over their own agendas and destinies (Lehning 1998: 8). In other words, all decisions and policies should be based on public accountability; this accountability can only materialise if citizens are able to exercise political and social control over the political order. Modern political democracy demands that rulers be held accountable by citizens for their actions in the public realm, and this act of answerability is essential to sustainable democracy (Schmitter & Karl 1993: 40). Hence the need for mass mobilisation and the mustering of support for policy proposals, which could otherwise be rejected as illegitimate. Illegitimate policy formulation was an all too common problem under the 'old' South African dispensation. For sustainable democracy to prevail, policies should receive broad-based support to make them workable in the long term.

## 3.2 Participatory democracy

The tenets of democracy require that all citizens should be involved in decisions about actions to be taken in public affairs. It is self-evident that direct participation by all citizens in the government and administration of a country is impossible with a large population, therefore every state must construct its own systems and institutions to enable citizens to contribute to decision-making about public affairs. It is thus regarded as a given that in a democratic state

a system of representation will be devised to ensure citizen participation (Cloete 1996: 8). The new South African constitutional dispensation involves a system of extensive participatory democracy. For example, section 1(d) of the 1996 Constitution Act makes provision for universal adult suffrage — a national common voters roll, regular elections and a multiparty system of democratic government — to ensure accountability, responsiveness and openness (cf Dahl 1998: 37-8 for the standards for democracy). But, clearly, the involvement of citizens goes beyond the ballot box, as will be shown.

The 1996 Constitution Act specifically entrenches citizens' right to participate in party political activities (section 19(1)(b) of Act 108 of 1996). It also allows the public access to the sittings of the National Assembly or lower house (section 59); to the proceedings of the National Council of Provinces (NCOP) or upper house (section 72); to the proceedings of provincial legislatures (section 118), and municipal councils/legislatures (section 160(1)(7)). At all levels of government, therefore, citizen or community participation is encouraged. Participatory democracy allows, indeed encourages citizens to submit their views directly or by correspondence to the decision-makers, who could be elected representatives, the principle of representative government being an integral part of democracy (Cloete 1993: 7).

Although participatory democracy is an ideal form of participation, it also has its limitations, for instance:

- it is slow and time-consuming;

- in multicultural contexts, it may not always work well because of the complexity of society, and

- citizens may become negative and apathetic if their views are disregarded by the political office-bearers, or if they sense that their attempts to make any inputs are futile (Hilliard & Kemp 1999b: 354).

Despite these limitations, participatory democracy is essential and indispensable to sustaining a democratic dispensation, for the following reasons:

- it prevents the abuse of administrative and governmental authority and power;

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- it allows a diversity of views/opinions to be aired;
- it allows people to challenge the policies and practices of the government of the day;
- it involves ordinary citizens in the operational activities of government and administration;
- it generates civic pride and loyalty, and
- a sense of "ownership" is created when citizens see that their input has been valued (Hilliard & Binza 1997, Hilliard & Kemp 1999a: 354-55 & Swanepoel 1997: 7).

Together with participatory democracy, it is essential for the population to exact accountability from all public functionaries to ensure that democracy can be sustained.

### 3.2.1   Theorising about accountability

The accountability of elected representatives to the public that elected them is fundamental to normative democratic theory. Yet, as a discrete theoretical concept, it is rarely treated systematically by contemporary democratic theorists, but rather subsumed under representation, participation, the media and other rubrics. There is good reason for this in the South African context: existing mechanisms for ensuring responsiveness and accountability function imperfectly. The parts do not add up to the whole; they do not constitute a coherent theory of accountability that would approximate the norm of democratic theory.

Unlike accountability in an oligarchical polity, where the nation is governed by a small group of office-bearers who are usually elected by a minority of the population (Cloete 1993: 6), accountability in a democratic system implies wide participation in the political process, the consent of the governed, and a legitimate opposition to policies that the people disfavour. McClosky makes the point strongly:

> the expansion of participation was partly stimulated by the desire to give meaning and force to the principles of consent, [...] accountability and political opposition. Participation is the principal means by which consent is granted or withdrawn in a democracy, and rulers are made accountable to the ruled (Sills 1968: 19).

However, although accountability is fundamental to the democratic process, it is no simple matter to elucidate as a working political concept in South Africa's democracy. The literature creates confusion by using the terms accountability (accountable) and responsibility (responsible) as though they were synonymous. One of the few writers who has attempted to grapple with the problem considers responsibility or accountability in situations where there has been a causal contribution to an occurrence, but he does not clearly distinguish between the two terms (Spiro 1969).

A significant property of accountability is the obligation to give an account of one's actions. As with accountability in its notion of sanctions, the "informational" notion of accountability is also affected by constitutional, legal, institutional, and conventional arrangements and practices. In the matter of "giving account", for instance, the president is constitutionally obliged to give parliament or the nation information on the state of the country.

### 3.2.2 Accountable public administration

From the above it is clear that accountability is one of the cornerstones of sustainable democracy. Every public institution and public functionary is subject to accountability. This means that the institution or functionary must account for the manner in which it/he/she performed every specific function for which it/he/she was responsible (Cloete 1996: 18). The conduct of public functionaries should thus always be above reproach (Cloete 1994: 69). Yet despite the requirement of public accountability, public functionaries still succumb to temptation and commit misdemeanours. Therefore other mechanisms must be put in place to ensure accountability (Cloete 1994: 71). These mechanisms include: legislatures calling functionaries to account during meetings; judicial institutions investigating breaches of conduct and sentencing offenders; proper work procedures being established to ensure that work is done in an orderly fashion, and various organisational practices (within the hierarchy) to prevent functionaries from circumventing the correct channels of communication or proper work procedures (Cloete 1994: 71-5). The electronic and print media can also play an invaluable role in exposing errant public functionaries, while all the institutions created for the purpose

of enhancing and supporting constitutional democracy and entren-
ched in the 1996 Constitution Act can be utilised to enforce public
accountability.

Accountability requires institutions and functionaries to account
for or to explain the positive as well as the negative results obtained
from the performance of the functions entrusted to them (Cloete
1996: 19). So, every citizen is entitled to exact, indeed to demand
accountability from public functionaries since public institutions
and functionaries are funded by taxpayers' money, which must be
spent frugally (Cloete 1996: 23). But exacting accountability is no
easy task.

The factors that militate against accountable government and
administration include the following:

- ignorance on the part of citizens, due to the complexity of
  governmental activities;
- corruption;
- failure of the legislatures to enforce accountability;
- misgovernment and maladministration;
- irresponsiveness to the real needs and justified expectations of
  citizens;
- unproductiveness (low productivity);
- lack of interest in governmental affairs on the part of citizens;
- a preoccupation with legality, rationality and correctness without
  making the general welfare of the population a priority, and
- miscellaneous misdemeanours of public functionaries due to
  human fallibility (Cloete 1996: 26-30; Cloete 1985: 105-7).

Both citizens and public functionaries must be educated to ensure
that they are always sufficiently aware of these impediments to ac-
countability. Education and training in ethics can also assist in elimi-
nating, or at least minimising, the factors causing unaccountable
government and administration.

Cloete (1985: 108-12) lists some measures for public accountabi-
lity, namely:

- enforcing values and norms suited to the culture and climate of

public service as opposed to the ethos of the private sector;

- keeping public institutions open to public scrutiny;
- combating the ignorance of citizens about public affairs through the maintenance of open communication channels;
- devising external control measures (national and international) geared to public accountability;
- being sensitive and responsive to people's needs;
- promoting honesty and integrity;
- promoting flexibility and adaptability to organisational change;
- remaining accessible to the public;
- fostering dedication to duty and thoroughness in its performance, and
- utilising all other formal control measures, such as: audits, reports, investigations, codes of ethics, and the maintenance of minimum standards, to ensure public accountability.

Accountability may be understood as answerability for performance (Romzek 1999: 2). According to Romzek (1999: 3), in any democratic state there appear to be four types of accountability, namely:

- Hierarchical accountability — relationships based on close supervision of individuals who have low work autonomy, with efficiency as the operative administrative value and obedience as the fundamental behavioural expectation. Cloete (1996: 19) terms this form of accountability managerial or administrative accountability — where top officials are responsible for effecting accountability in the institutions entrusted to them.

- Legal accountability — relationships involving detailed external supervision of performance for compliance with established mandates under which managers are required to work.

- Professional accountability — systems reflected in work arrangements that afford a high degree of autonomy to individuals who base their decision-making on internalised norms of appropriate practice.

- Political accountability — relationships affording a manager the

discretion or choice of being responsive to the concerns of key stakeholders such as elected office-bearers, clientele, the general public, and so on (Romzek 1999: 4-7). Cloete (1996: 19) terms the latter form of accountability consumer accountability. (Nowadays the public is often also regarded as the "customer" or "consumer" of public services).

South Africa generally uses all four types of accountability, some of which are entrenched in the 1996 Constitution Act.

The founding provisions of the 1996 Constitution Act (section 1(d)) are particularly relevant in respect of accountability. The Act prescribes that South Africa's government and administration must be accountable. Other facets of accountability are also prescribed. For example, ministerial/cabinet accountability is outlined in section 92; accountability at the provincial level is entrenched in sections 133 and 141, where a vote of no confidence can be cast in the province's executive council; municipal councils must provide accountable democratic government for local communities (section 152(1)), "public administration must be accountable" (section 195 (1)(f)).

Citizens have an important role to play in demanding accountability from all public functionaries (Cloete 1996: 23). The role of the citizen or the community in ensuring sustainable democracy will be discussed below.

Accountability requires all institutions and functionaries to render an account in respect of the performance of the functions entrusted to them. Furthermore, accountability requires that the performance of public institutions and their functionaries must be responsive to the real needs and justified expectations of citizens. Needs must be prioritised because the needs of citizens will always be unlimited, while the resources of government will inevitably be limited (Cloete 1994: 64). South Africa cannot, therefore, afford to provide services to its inhabitants on the basis of hunches or surmises, or worse still, simply to impose unwanted or unneeded services upon its citizens. Such a paternalistic approach was adopted towards black Africans by the apartheid regime and proved to be a dismal failure. Eventually the Nationalist regime lost considerable credibility and legitimacy in the opinion of the international community as well as in the eyes of the majority of South Africans

because it decided unilaterally what was best for the majority of its people. Instead, it should have consulted broadly with all its constituencies and additionally permitted extensive community participation in all matters directly affecting the population.

In most democracies, public accountability lies ultimately in the hands of the voters. In 1994 the principle of universal (adult) suffrage was applied in South Africa. So, every citizen qualified to vote, irrespective of race and gender, had a say in the future development of the government and administration of South Africa. In 1999 South Africans once again had the opportunity of going to the polls. This meant that the voters were again given the opportunity of deciding whether their justified expectations and real needs had been met by the governing party, namely the ANC. From the electoral response, the voters appeared to be largely satisfied with the ruling party's performance from 1994 to 1999.

General elections are one of the ways in which voters can bring about public accountability and in which public opinion can be gauged. Public functionaries have to pursue objectives determined not by themselves, but by the people. This means that citizens definitely have an important role to play in exacting accountability from them. Indeed, public accountability should be the preoccupation of every citizen as well as of every public functionary.

Accountable behaviour begins at the apex of the governmental hierarchy and filters down to the grassroots levels of a democratic state. This means that the government-of-the-day is ultimately accountable for the manner in which a country is run. Undoubtedly, the most senior office-bearers and dignitaries should be virtuous role-models. In fact, section 92(2) of the 1996 Constitution Act holds members of the Cabinet collectively and individually accountable to Parliament "for the exercise of their powers and the performance of their functions". People normally follow the example of their leadership, so their leaders should be exemplary.

The principle of accountability is not foreign to democracies; however, it is difficult to enforce accountability strictly because, once public functionaries have been voted into office, it normally becomes exceedingly difficult to oust those who cling to the power and prestige of public office. Such public functionaries become almost

immune or impervious to criticism, and get away with wrongdoing simply by ignoring criticism.

Clearly, then, public accountability is more than simply a matter of control. It involves the inculcation of ethical values and virtues that cannot be regulated merely by laws and regulations. These values and virtues have to be developed in South Africa because, although South Africans are desirous of higher ethical values and norms, the culture and the ethos of Western democracies is still largely lacking on the African continent and will only develop over time.

Furthermore, it is a misconception to think that democracy is merely a form of government; democracy is a way of life. It cannot be attained in a short time-span, as in South Africa's case. It can take decades to evolve, and is complicated by the fact that, prior to 1994, South Africa never had experienced democratic culture. Therefore there is still much to be learnt before South Africa can reach the ideal level of sophistication where democracy and accountability work well.

Even well-established democracies still grapple with accountability. However, this does not mean that South Africans should be apathetic and fail to demand public accountability. On the contrary, public accountability is an integral part of any democratic society. South Africans should therefore make their needs known to political office-bearers; in turn, politicians should try to fulfil their promises. It is a reciprocal relationship. If the promised goods and services do not materialise, and the public becomes dissatisfied with broken or empty promises, various other mechanisms may be resorted to, in order to remedy the situation. The ballot is not the only route. Politicians are merely figureheads who have been elected as guardians of the public interest. Therefore, if they renege, they must be held answerable for their actions or inaction. For instance, citizen participation and accountability are closely linked. Every citizen must, therefore, remain continuously vigilant in detecting unaccountable conduct and take action to redress any wrong and to have it rectified if possible (see Cloete 1996: 144).

In order to enforce accountability, citizens should be able to vote rationally. They should nominate worthy candidates for election as

members of legislatures and observe their the performance closely, ousting those who perform unsatisfactorily (Cloete 1996: 144). This is the reason why active citizen involvement is essential in controlling public functionaries and ensuring that public accountability is, indeed, seen to exist. Without citizen participation, sustainable democracy is impossible.

## 3.3 Democracy and development

As a consequence of both the democratisation process and the reconstruction and development process, the quality of life in South Africa has changed considerably over the past few years. This has been largely due to the South African government's efforts to improve the living conditions of ordinary citizens. However, the process has not been an easy one, and is as yet incomplete. As the process of democratisation and development has unfolded, a number of key actors have entered the political arena and begun to question the government's policies and practices.

Some church groups and other organs of civil society are already advocating more compassionate government. The trade union movement is unhappy with the impact of the government's GEAR macroeconomic strategy on workers and on the job market. Although local government seems to be taking responsibility for service delivery, it is on a collision course with the policies of central government as local councils and chiefs are unable to deliver meaningful services to the public. Local councils are also experiencing numerous financial difficulties which cannot be easily resolved. More recently, the local business community, which has been a strong opponent of democratisation, has become aware of the problems of a racialised marketplace and more receptive to government policies of de-racialisation of the labour market and of society in general.

Furthermore, marginalised local communities, especially those whose land is under threat from foreign or national investors, are also agitating for their rights to land and a livelihood. With the high price of agricultural inputs, peasant farmers are being driven out of the market in spite of the government's professed policies and attempts to help emerging black farmers and expand the market. Other threatened groups are those whose jobs are not safe from priva-

tisation or the civil service reform policies that the government will or may introduce. Both in the civil service and in the parastatals, employees are already fighting a rearguard action to maintain their positions. The government is finding it increasingly difficult to argue a case for reducing unemployment levels in the country, or to achieve better mechanisms for job creation. These matters can all act as threats to sustainable democracy and societal stability.

### 3.3.1    Democracy and civil society

A great deal has been written about civil society as either an agent of change, or an adversary of the state. The 1980s in South Africa saw the mushrooming of various groups and civic organisations which identified themselves as civil society. Much of the recent writing on the concept has expressed the somewhat problematic view that all elements of civil society are "necessarily democratic in form and content" (Friedman & Hlophe 1998: 46-7).

The situation in most African countries has led some writers to conclude: "no bourgeoisie, no democracy" (Moore 1981). Essentially, this means that there can be no civil society in peasant societies. Chabal (1992: 35-97) is correct in writing that civil society entails a situation where the state assumes a low key, but it remains difficult to find home-grown civil society in much of Africa, since this requires a national bourgeoisie organised for class politics. However, in recent years journalists have been identifying healthy and vibrant civil societies throughout Africa.

Given this background, civil society is not the only group that flourishes where the state is weak. All forms of banditry and lawlessness may also emerge. In this sort of situation, bandit leaders appear as champions of ethnic causes. Some bandit leaders even pose as champions of democracy. Therefore, what appears to be a lively local democratic movement may threaten the very existence of both the post-apartheid state and the ethnic communities whose freedom it claims to be fighting for. For this reason, South Africa needs a strong constitutional state as well as a vibrant and politically relevant civil society.

## 3.4 Community and citizen participation

One of the most important aspects reinforcing and sustaining democratic government and administration is citizen or community participation (cf Dahl 1998: 37-8 on the need for effective participation to maintain democracy). At the local sphere of government, section 152(1)(e) of the 1996 Constitution Act states that the aim of local government is to encourage the involvement of communities and community organisations (civics) in matters of local government. Even in the founding provisions of the 1996 Constitution Act, section 1, the aspects of accountability, responsiveness, and openness are stressed as essential ingredients of democratic government. The public can participate in forming policies on public administration (section 195(1)(e)); people, other than judicial officers, can participate in court decisions in the administration of justice (section 180(c)); and civilians are permitted to monitor those appointed to the intelligence services (section 210), and so on. Clearly, the 1996 Constitution Act makes provision for extensive citizen participation in various areas of civil society in order to ensure sustainable democracy and to enforce public accountability.

Citizen participation is essential to sustaining and promoting good government and administration. This assertion is undeniable, particularly in the South African context. If citizen participation is neglected in South Africa, the abuse and misuse of administrative and political power may well resurface. However, the converse is also true: extensive citizen participation can help to keep a check on power, and prevent politicians from making policies detrimental to the general welfare of society. Citizen participation does not only consolidate democracy, but can sustain it for future generations.

Because all sectors of South African society are still undergoing tremendous transformation, the country has not yet reached a desirable or ideal stage of social stability. For this reason, citizen participation is indispensable to the formulation and application of policies to suit South Africa's unique environmental and population-specific needs. It can also prevent the repetition of past mistakes.

## 3.5 Towards policy interventions

From the above it is evident that South Africa seriously needs both human and institutional capacity if the country is to achieve its developmental aims and to entrench a culture of sustainable democracy. Such a project requires strategic interventions. These include capacity-building in the economic and political spheres of local government management. Increased participation of civil society in the process of policy-making, the strengthening of local institutions, and the nurturing of a democratic system of local government are vital to the accomplishment of sustainable democracy.

Both government and donor policies tend to create structures outside the public administrative system. These structures tend to undermine the capability of local institutions and do not usually contribute to capacity-building. It is therefore important that those in political leadership positions and the donor community realise that development cannot be achieved by some magical intervention from above, but that the whole process depends on the full participation of ordinary people. To this end, it is crucial that all the current "sideshows" be revised so that ordinary people have an opportunity to participate.

The democratisation process opens a window of opportunity for the creation and strengthening of national capacity by means of enhanced participation in the political process. Participation helps citizens to overcome their limited political understanding and facilitates meaningful engagement between citizens and political office-bearers (Dahl 1989: 339). However, it is also true that the democratic tradition cannot be achieved overnight as it requires nurturing and institutionalising. Democracy is an ongoing process that cannot be said to be fully completed; it is always unfolding. The only sure way of achieving this is by strengthening the institutions of civil society that will ultimately defend the ideals of democracy. The government and the donor community should be encouraged to do so. Relevant institutions include, among others, a free press, professional associations independent of the state, trade unions, community interest groups, business organisations, political parties and local non-governmental organisations (NGOs).

## 4. Summary

This article has addressed some of the many issues involved in the South African democratisation process. The transition remains incomplete, although substantial progress has been made in transforming South Africa into a fully-fledged democracy.

On the one hand, this article has highlighted some of the mechanisms that could be used to further the cause of sustainable democracy and to ensure that democracy remains an integral part of the new South Africa. Unless South Africa's democratic dispensation is carefully nurtured, and various checks and balances are put in place, the country could degenerate into a democracy in name only, or even into an authoritarian regime. This would be disastrous in view of the fact that the majority of South Africans fought for so long for freedom and democracy.

On the other hand, and with more optimism, the article has pointed to the need for local capacity to nurture both democracy and development. Democracy must be nurtured in order to be sustainable. Developmental efforts also depend on nurturing.

Finally, the article concludes that such a project requires institutions on whose base a truly democratic culture and radical economic reforms can be built. It is only by means of such efforts, among other things, that democracy and development can be established and flourish.

# Bibliography

BAUER R
1969. *American business and public policy*. New York: Raddan & Sons.

BURNELL P & A WARE (eds)
1998. *Funding democratisation*. Manchester: Manchester University Press.

CAMMACK P, D POOL & W TORDOFF
1993. *Third World politics. A comparative introduction*. London: Macmillan.

CHABAL P
1992. *Power in Africa: an essay in political interpretation*. London: Macmillan.

COETZEE W A J (ed)
1985. *Orientation of municipal councillors and leading municipal officials in a new dispensation for local authorities. Proceedings of a symposium held at the University of Durban-Westville 9-11 April 1985*. Durban: University of Durban-Westville.

CLOETE J J N
1985. Accountability in local government and administration. Coetzee (ed) 1985: 98-115

1993. *Democracy. Prospects for South Africa*. Pretoria: Van Schaik.

1994. *Public administration and management*. Pretoria: Van Schaik.

1996. *Accountable government and administration for the Republic of South Africa*. Pretoria: Van Schaik.

CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA
1993. *Act 200 of 1993*. Pretoria: Government Printer.

1996. *Act 108 of 1996*. Pretoria: Government Printer.

DAHL R A
1989. *Democracy and its critics*. New Haven: Yale University Press.

1998. *On democracy*. New Haven: Yale University Press.

DIAMOND L
1990. Nigeria: pluralism, statism, and the struggle for democracy. Diamond *et al* (eds) 1990: 138-46.

DIAMOND L, J J LINZ & S M LIPSET (eds)
1990. *Politics in developing countries. Comparing experiences with democracy*. London: Lynne Rienner.

DIAMOND L & M F PLATTNER (eds)
1993. *The global resurgence of democracy*. Baltimore: John Hopkins University Press.

FRIEDMAN S & D HLOPHE
1998. South Africa's democracy between consolidation and survival. Transformation to a successful democracy, Konrad Adenauer Stiftung. Durban: Institute for Federal Democracy.

HILLIARD V G & M S BINZA
1997. SA openness under fire. *Evening Post* 24 July 1997: 6.

HILLIARD V G & N D KEMP
1999a. Citizen participation indispensable to sustainable democratic governance and administration in South Africa. *International Review of Administrative Sciences (IRAS)* 65: 354-5.

1999b. Citizen participation crucial to good governance and administration in South Africa. *Politeia* 18(3): 40-67.

HLOPHE D
1998. From idealism to the real world; civil society after apartheid. Transformation to a successful democracy, Konrad Adenauer Stiftung. Durban: Institute for Federal Democracy.

HUNTINGTON S P
1993. Democracy's third wave. Diamond & Plattner (eds) 1993: 3-25.

LARDEYRET G
1993. The problem with PR. Diamond & Plattner (eds) 1993: 159-64.

LEHNING P B
1998. The citizen, the state and public administration. Paper delivered at the 24th international Institute of Administrative Sciences congress, Paris, 7-11 Sept 1998.

McCLOSKY M
1968. Accountability and public policy in american politics. Sills (ed) 1968: 36-64.

MOORE B
1981. *The social origins of dictatorship and democracy*. Harmondsworth: Penguin.

ROMZEK B S
1999. Dynamics of public sector accountability in an era of reform. Paper delivered at the first specialised congress of the International Institute of Administrative Sciences. The Civil Service College, Sunningdale, London, 12-15 July 1999.

SCHMITTER P C & T L KARL
1993. What democracy is… and is not. Diamond & Plattner (eds) 1993: 39-52.

SMITH B C
1996. Sustainable local democracy. *Public Administration and Development*, 16(2): 163-78.

SILLS S (ed)
1968. *Public constraint and American public policy*. London: Sage.

SOUTHALL R & G WOOD
1998. Political party funding in Southern Africa. Burnell & Ware (eds) 1988: 201-4.

SPIRO R
1969. Responsiveness and public policy in governance. Bauer (ed) 1969: 109-11.

SWANEPOEL H
1997. *Community development. Putting plans into action*. Kenwyn: Juta.