



SOUTH AFRICA

Is more always merrier on our ballot?

By Sy Mamabolo, Chief Electoral Officer, Electoral Commission of South Africa

In last year's general elections in the United Kingdom, the Official Monster Raving Looney Party received 3 890 votes – nowhere near enough to win a seat in Parliament but still enough votes to put them well ahead of about 50 smaller parties in the final ranking.

In Canada's 2015 federal elections the Rhinoceros Party – which promised not to keep any of its election promises if elected – received 7 263 votes, also not enough to win any seats but nearly 8 times as many votes as the Pirate Party which received 908.

These are just some of the better known frivolous or satirical political parties which contest elections around the world each year.

They may bring a light-hearted and sardonic spin to the otherwise serious business of democratic elections but they can also result in long, unwieldy and cluttered ballot papers.

The ballot papers in Australia's senate elections are frequently a scroll of more than 1 metre in length while in 2014 elections in Tunisia, which has no restrictions on standing for elections, 9 000 candidates competed for 217 seats. In the Democratic Republic of Congo in 2006 one constituency saw a ballot paper four pages long to accommodate 856 candidates vying for four seats.

Not only do such mammoth ballot papers cost more to print, store and transport but they can also adversely affect the ease and simplicity of the voting process and reduce ability of voters to easily find the party they wish to really vote for. A large number of parties or candidates can also make it difficult for voters to make an informed choice.

It is for these reasons that many electoral democracies impose some kind of qualifications for parties and candidates seeking to contest elections. The most common systems in use are those requiring a monetary deposit or submission of proof of support, usually by submitting signatures of supporters. In some cases these two systems are used in combination.

Like most things in life, each of these systems has its pros and cons.

The benefit of a deposit system is that it is relatively simple and quick to implement for both parties and the election management body. This can be especially important if early elections are called.

The drawbacks include perceptions of favouring established, larger and better funded parties and presenting economic obstacles to newer, smaller parties. Even where parties receive their deposits back after elections, a deposit system can tie up valuable resources desperately needed for campaigning. The deposit system can also be abused by rich candidates who can easily afford to buy their 15 minutes of fame.

The benefits of a support or signature system are that it does not impose economic differentiation and, on the face of it, is a more equitable system. But it is not without its disadvantages. Firstly it can be very difficult to verify and authenticate the signatures provided. Secondly, it is not a very reliable method of proving election support. Signing a petition or showing support for a political party does not necessarily mean a person will vote for that party. Research has shown there is not always a correlation between party support in the form of signatures and voting patterns. Often citizens will simply sign a petition merely to get rid of pushy campaigners. Gathering large numbers of signatures is also easier for larger, better resources and more well-known parties.

In the final analysis, the fairest, most accurate test of support for political parties is the election itself when they compete against one another for the votes of the electorate.

Election management bodies around the world continue to grapple with how best to balance the right to stand for election with the desire for a ballot paper of reasonable length which allows voters to make an informed choice.

According to the ACE Electoral Knowledge Network, at least 66 countries around the world use election deposits as a way to minimize the number of frivolous contestants. These include most Southern African Development Community countries, Burundi, Ghana, Sierra Leone, the United Kingdom, India, Japan and Australia.

In South Africa electoral prescripts provide for the Electoral Commission to set an amount to be deposited by parties to contest elections. The practice of prescribing election deposits has been part of our electoral democratic reality. In setting this amount, the Commission has always sought to strike a judicious balance between an amount so high that it unfairly impairs the ability of potential electoral contestants and an amount so low that it fails to dissuade frivolous parties.

In 2004 the amounts set were R150 000 for national elections and R30 000 for provincial elections. This was increased to R180 000 and R34 000 in 2009, and raised again to R200 000 and R45 000 in 2014.

Parties which fail to secure a seat in the National Assembly or provincial legislature forfeit their deposit to the National Revenue Fund.

The Electoral Commission is proposing to keep the amounts the same (R200 000 and R45 000) for the 2019, meaning that in real terms the amounts have decreased substantially over the past 14 years.

Over the same period there has been a corresponding increase in the number of political parties contesting elections: since 1999 the number of parties on the national ballot paper has almost doubled from 16 to 29 in 2014.

Of course the two are not necessarily correlated: there are a wide variety of factors influencing the number of parties contesting elections. But it is reasonable to assume some nexus between the costs of standing for election and the number of parties contesting elections.

What is also clear is that despite the increase in the number of political parties contesting national elections in South Africa over the past 20 years, the number of parties winning seats in the National Assembly has remained relatively constant. (See table below)

Year	Number of parties contesting national ballot	Number of parties which won representation in the National Assembly
1999	16	13
2004	21	12
2009	27	13
2014	29	13

An unfettered number of parties and candidates in national, provincial and municipal elections is not always in the interest of voters or democracy, especially when few have any real prospects of electoral success.

The Electoral Commission recently published a notice inviting comments and submissions on the proposed deposits for the 2019 National and Provincial Elections from interested stakeholders, including political parties and voters. Submissions must be emailed by 26 October 2018 to deposits@elections.org.za.

**An edited version of this article appeared in the City Press on 14 October 2018*