

**ELECTORAL COMMISSION OF SOUTH AFRICA
WEBINAR ON DIFFERENT ELECTORAL SYSTEMS
FOR NATIONAL PARTY LIAISON COMMITTEE
MEMBERS**

6 AUGUST 2020

**INTRODUCTORY REMARKS BY THE
CHAIRPERSON OF THE ELECTORAL COMMISSION**

MR GLEN MASHININI

ACKNOWLEDGEMENTS

- Fellow Commissioners of the Electoral Commission:
 - Programme Moderator Vice Chairperson Ms Janet Love
 - Commissioner Judge Dhaya Pillay
 - Commissioner Dr Nomsa Masuku
 - Commissioner Mr Mosotho Moepya
- Members of the National Political Party Liaison Committee, leaders and representatives of political parties
- Our guest panellist Professor Mcebisi Ndletyana of the University of Johannesburg
- Thank you Professor for making yourself available to make inputs into this discussion
- Chief Electoral Officer Mr Sy Mamabolo
- EXCO members, Provincial Electoral Officers, senior management and staff of the Electoral Commission present today

INTRODUCTION

- On behalf of the Electoral Commission let me welcome you to this webinar and thank you for your interest and attendance
- I am informed that we had over 100 requests to participate in this event which is clear evidence of the national interest in and importance of this topic
- Ladies and gentlemen, from the onset it is important to contextualise and clarify the roles of elected representatives and the Electoral Commission in the process to review the Electoral Act
- As you are all aware, in June the Constitutional Court found that the Electoral Act was unconstitutional in so far as it only allows individuals to contest national and provincial elections as part of a political party (*in New Nation Movement NPC and Others v President of the Republic of South Africa and Others*)

CONTEXT

- In its judgment, the Constitutional Court ruled that Parliament must rectify this unconstitutionality in the Electoral Act within two years
- Parliament is already seized with this matter and we as the Electoral Commission have offered our full support and assistance from a technical point of view to Parliament in this process
- As the statutory election management body, the Electoral Commission must remain non-partisan and leave the legislative amendment process to elected representatives
- Our task and role is to provide technical support

CONTEXT CONT.

- As part of this assistance, we were recently requested by the Portfolio Committee on Home Affairs to share information on some of the most common electoral systems in use around the world
- We are now seeking to expand this knowledge sharing with all interested stakeholders including political parties which is the reason for today's event
- Subsequently, we plan to host a series of webinars with representatives of civil society and all interest groups to help promote a greater and more thorough understanding of electoral systems to enrich and empower all stakeholders in this process

NATIONAL CONSENSUS

- Ladies and gentlemen
- The Commission is deeply mindful that the electoral system adopted by a country is a matter of significant national interest which will have far-reaching implications for its Constitutional democracy
- For this reason the Electoral Commission believes that the process to review and reflect on the electoral system should be broad-based, inclusive and ideally emerge from national consensus
- In this process we should draw on inputs from all interested stakeholders including political parties, civil society, business and labour, Government, the electorate and the public at large

NO ONE SIZE FITS ALL

- Ladies and gentlemen
- No one electoral system is a silver bullet
- Each system has its advantages and disadvantages and is designed to suit particular conditions and historical circumstances
- In reflecting on the various electoral systems in use around the world today, we should carefully balance the elements and characteristics of each system against our own Constitutional principles and our unique socio, political, economic, historical, cultural and other conditions
- At the same time we must caution against some misperception that the judgment of the Court will necessarily result in fundamental changes to the electoral system
- The Court limited its ruling to allowing for individual candidates to stand for election as individuals in national and provincial elections
- This does not mean we are moving away from the Westminster system in which elected representatives elect Presidents and Premiers to a system of direct election
- The Court also reaffirmed the importance of an electoral system which results primarily in proportional representation

THE NEED FOR REVIEW

- Ladies and gentlemen
- Constitutional democracies are dynamic systems which evolve over time
- As they mature and develop, the systems and processes in place to elect public representatives require review from time to time to ensure their continued effectiveness and efficacy in meeting the Constitutional principles
- While the circumstances which prompt such reviews may vary from country to country, such reviews are natural and necessary in order to account for changing socio-political, economic and other conditions of that country
- The timing of the Constitutional Court ruling which prompted this review is highly opportune given that we have recently celebrated 25 years of our current system

OUR CHANGING DEMOCRACY

- Over the past 25 years:
 - We have seen a substantial increase in the number of political parties contesting national elections from just 18 parties in 1994 to 48 parties last year
 - We have seen similarly significant rise in the number of parties contesting Municipal Elections – from 87 in 2000 to 205 parties in 2016
 - However, despite this considerable rise in contestants, there has been little change in the number of parties ultimately elected to the various legislatures and councils
 - From a voter participation point of view we have also seen a steady rise in the number of registered voters from 18.17 million in 1999 to 26.75 million in 2019
 - Sadly, however, this rise in the number of registered voters has not kept pace with population growth nor has it always translated into higher turnout at the polls

DECLINING FAITH IN DEMOCRACY

- A number of surveys and research studies over the past few years have shown a decline in public perceptions of the efficacy of electoral democracy in South Africa
- A recent report released on 14 July 2020 by Afrobarometer found that:
 - Only a slim majority (54%) of South Africans believe that democracy is preferable to any other form of government, a 16-percentage-point drop since 2011. This was one of the lowest levels of support for democracy recorded in 34 countries surveyed in 2016/2018.
 - Satisfaction with the way democracy is working also declined steadily from 60% in 2011 to 42% in 2018 who said they were “fairly” or “very” satisfied.
 - A majority of South Africans still valued aspects of democratic governance, including 61% who favoured elections as the best way to choose leaders and 60% who said many political parties are necessary to ensure real choices for voters. But these proportions reflect declines of 16 and 9 percentage points, respectively, since 2015

CONCLUSION

- Ladies and gentlemen
- Our democracy remains vibrant and healthy and our participation levels are very much in line with international trends
- But those of us directly involved in the birth, growth and development of democracy in our country over the past 25 years should take heed of the warning signs
- In order for our electoral democracy to continue to thrive and flourish we must constantly seek to renew and re-invigorate our democratic processes
- The review of the electoral system may not provide a miraculous cure for all issues but it is a crucial opportunity to reflect on whether the electoral system can address some of these issues
- For this reason we should all approach this process not from a partisan or purely party political point of view
- Rather we should work together to build on the foundations of the past 25 years to further strengthen and support our Constitutional democracy for the next 25 years – and the next generation
- I thank you