



Previewing the 2014 General Election

1. Introduction

There can be few genuine multi-party democracies in which, come election time, the opposition's best hope is to reduce the governing party's majority from 66% to 60% in order to give it "enough of a fright to compel it to do its job properly."¹ Twenty years after our inaugural democratic election, this is where we are in South Africa: not a one-party state, but a one party *dominant* state, in which the combined opposition knows that it cannot hope to oust the incumbent, and that the best it can do is to edge it from an overwhelming majority to a bare one.

This does not mean, however, that the 2014 general election is entirely predictable, or without interest. There are a couple of new parties which have to some degree seized the public's imagination. While most of the smaller opposition parties appear to be continuing on a downward trend, the Democratic Alliance seems set to improve significantly on its 2009 showing. There is even an outside chance that it could come close to matching the ANC's support in Gauteng province, which throws up the possibility of a coalition government there. It is also certain to retain control of the Western Cape.

The ANC, on the other hand, is assured of victory in all the other seven provinces, although its majorities may be noticeably reduced in some of them. Nationally, it appears that the recent scandals involving its leader, President Jacob Zuma ('Guptagate', Nkandla), will not drastically diminish its share of the vote.

Regrettably, for the first time since its inception in

1994, the credibility of the Independent Electoral Commission (IEC), is being called into question. This is as a result of an irregular property lease concluded by its Chairperson, rather than because of any election-related matter, but it is nevertheless something that will cast a shadow over the IEC's hitherto exemplary record.

One of the IEC's tasks is to ensure that the maximum number of eligible voters (citizens of 18 years and above) register to vote. There are indications that, despite considerable publicity and opportunity, too many South Africans have not registered; and that this trend is most acute among younger people.

With just a few days to go before the election, this briefing paper seeks to analyse these various points, and to venture a few predictions as to the outcome. Some of what follows is based on the presentations given at a roundtable discussion jointly hosted by CPLO and the Hanns Seidel Foundation on 25th April.²

2. The African National Congress: Still Resilient?

Around November last year an opinion poll was published that suggested the ANC would receive as little as 53% of the vote – a dramatic decline from the 65.9% it won in 2009. It turns out, though, that the poll was of *eligible* voters, not *registered* voters. More recent surveys suggest that the party is likely to win nearly the same percentage as it did in 2009 – around 65%.

This discrepancy can be explained partly by the

fact that about a quarter of eligible voters are not registered. Many of these, when polled, reply as 'don't know' or 'refuse to answer'. Once the question is limited to registered voters (by definition, more politically committed people), the picture changes, and the ANC looks to be about as popular now as it has been for the last 20 years.

Another reason seems to be that such potentially negative factors as the Marikana killings, endemic public sector corruption, service delivery frustrations, and Nkandla have not resulted in a willingness to switch votes away from the ANC. Perhaps people are prepared to distinguish between the ANC as a party and those individuals or structures that are responsible for these failings. Certainly, every effort has been made by the party to distance itself from the excesses associated with President Zuma, and from the Marikana shootings, and it seems that the strategy may have been successful.

Even the recent internal strife in COSATU, and the decision by its largest affiliate, NUMSA, not to campaign for the ANC, do not seem to have had a noticeable impact on the ANC's electoral fortunes.

Two major factors underlie the ANC's continuing electoral appeal. Firstly, it still enjoys an unassailable status as the party of liberation and, no matter how much it may have disappointed its supporters in areas such as service delivery, unemployment and corruption, their loyalty is largely unshaken. People may be frustrated, even angered, at the party's patchy performance in government, but no other party has managed to supplant their historical affection for the movement that put an end to apartheid. As long as this emotional attachment survives, no amount of Marikanas and Nkandas will cancel out the liberation dividend that the ANC has acquired.

Secondly, voters recognise the party's many positive achievements. It must be borne in mind that probably around 30% of the people who voted ANC in 1994 are no longer alive;³ and that a similar number of those who will vote next week were not around – or not eligible – to vote in 1994. Thus, the ANC has managed not only to retain the support of most of those who voted for it in previous elections, it has been able to attract enough new voters every five years to replace those who have died. These newer voters are less

likely to be motivated by emotional attachments or historical loyalties, and their age means that they have no personal memories of the struggle, or indeed of the immediate post-liberation years. Therefore, they are voting ANC because they believe in its policies, or because they judge it to be the party best able to meet their needs and aspirations. In short, the ANC is "doing something right" in their view, to quote Prof Mattes. This point is easily lost amid the chorus of criticism, much of no doubt justified, which is directed at the governing party from all quarters.

There is also the simple fact, expressed by a caller to a radio show, that people like "voting for a winner". In most parts of the country there is only one possible winner, so this becomes a kind of self-fulfilling prophecy. Many voters cannot see the point of supporting opposition parties when these have no reasonable chance of winning power. Perhaps, though, the era of a permanently losing opposition is drawing to an end.

3. The Democratic Alliance: On the Verge of a Breakthrough?

In 2009 the DA won 16.6% of the vote – exactly one in six registered voters supported it. This is not a negligible figure; in many European countries where no single party ever wins an outright majority, this would be a respectable performance, and would make the party an important player in coalition negotiations. Here, however, it was dwarfed by the ANC, which won four times as many votes. It could also be argued – and has been by the DA's political opponents – that 16.6% could be accounted for by the party having captured overwhelmingly white, coloured and Indian votes; and that it had little or no African support.

This argument was always a contentious one,⁴ but a decisive increase in the DA's support in this election would surely rebut it. No party can achieve over 20% of the vote without attracting significant numbers of African voters, and the opinion polls suggest that the DA is on track to get around 22 – 24%. Although this would be well short of Helen Zille's earlier target of 30%, it would still mean that one in four voters has turned out for the official opposition; and that is symbolically very different from one in six.

It also means that the DA would return to Parliament with close to 100 MPs, giving it much more muscle in the portfolio committees, where it has already shown itself to be hard-working and effective, more of a presence in oversight visits, more ability to ask parliamentary questions, and more opportunity to portray itself as a 'government-in-waiting', rather than just the biggest of a bunch of unthreatening opposition parties.

Just as important as its overall performance is the question of how well the DA will do in Gauteng. Opinion polls a few months ago suggested that the ANC could end up with only 45% of the provincial vote, which would still leave it well ahead of the 35 – 36% that the same polls give the DA. However, once the ANC drops below 50% the question of a coalition government comes to the fore. The polls suggest that it is inevitable that the Economic Freedom Fighters will be the third largest party in Gauteng, but it has declared that it will not enter into coalitions. At the same time, it is difficult to see the DA and the ANC managing to co-exist in a coalition, so the most likely scenario is that the ANC would have to find its partners from among the minor parties – ACDP, IFP, NFP, etc. – which together might win the necessary 5%.

It seems therefore, that the DA will end up as a strong opposition in Gauteng, with a much-enhanced share of the vote (once again demonstrating that it has broken through into the African community, especially the much-vaunted 'emerging middle-class') and with a strong base from which to win a few municipalities in the 2016 municipal elections, and then to push on to a provincial victory in 2019.

The anticipated success of the DA is partly based on its ability to exploit voter dissatisfaction with the ANC, and in Gauteng in particular, with President Zuma's performance. But it will never be enough simply to feed off such negative feelings. The main challenge for the DA is pass what Prof Mattes terms the 'image test' – is it a party with which African voters can identify? In other words, has it succeeded in shedding its image as a white, liberal, pro-business party? The internal climate that has facilitated the emergence of Mmusi Maimane in Gauteng, and Lindiwe Mazibuko in Parliament, are two strong indicators that it has made strides in this direction; likewise, it is

holding more, and better-attended, rallies in the townships. But only May 7th will tell us with any certainty whether it has passed the test.

4. The Rest of the Opposition: Out With the Old, In With the New?

If it is accepted that the ANC will take about 64% of the vote, and the DA 23%, where will the other 13% go? It must of course be shared out between the remaining 27 parties that will be contesting the national election.

In 2009 the Congress of the People (COPE) came from nowhere to win 7.4%. It is now widely predicted to fall to less than 1.5%. The Inkatha Freedom Party (IFP), which came fourth five years ago with 4.5% will decline further, to around 2%. Most of the other small parties that have been around for years⁵ are predicted to shrink, though most of them should retain enough of their niche vote to earn two or three seats. Those which now have only one seat in Parliament, such as the PAC, AZAPO and the MF, may bow out altogether. Be that as it may, between them these parties will not account for 13%.

This means that the new parties contesting a national election for the first time will absorb the remaining votes. Of them, the Economic Freedom Fighters (EFF) are set to perform best, while two others should attract enough votes to earn at least one seat, perhaps more.

The EFF's leader, Julius Malema, is South Africa's most media-savvy and oratorically adept politician, and he has kept his party (and himself) in the headlines since it was launched officially last October. But a number of factors appear likely to limit the EFF's share of the vote. Firstly, it is one thing to attract large crowds to township rallies, quite another to build the kind of infrastructure around the country that will get supporters to the polls; it is not clear that the EFF have done this. Secondly, apart from a couple of prominent ex-ANC Youth League leaders, and Advocate Dali Mpofu, the party is light on well-known names or personalities with a political track record. (By contrast, COPE was led by two very senior ex-ANC leaders, Mosiuoa Lekota, who had been the party's chairperson and a cabinet minister, and Mbazima Shilowa, former COSATU secretary-general and

premier of Gauteng. COPE also had a second rank of leaders made up of experienced MPs and ex-ANC whips with roots in important constituencies around the country.

Thinking voters will also distinguish between the EFF's clear ability to diagnose some of the country's most pressing problems, and the less than convincing policies that it offers to remedy them. They will know that large-scale nationalisation will do nothing to reduce unemployment, and that wholesale land confiscation will ruin the economy. They will know, too, that promises to double minimum wages and social grants are easily made but impossible to implement.

Finally, the EFF's core support is among younger voters; those who are instinctively attracted to Mr Malema's energy and populism, and who are less tied to traditional electoral loyalties. But it is precisely the 18 – 24 year olds that have registered in the lowest proportions. Up to a million eligible young voters will be absent from the voters' rolls.⁶ Given all these factors, it is difficult to see the EFF exceeding 4-5% nationally, though it may well do better than that in Gauteng and one or two other provinces.

Unlike the EFF, Agang SA has failed to capture the headlines, except for when it was first mooted as a new political 'platform', and for the farcical few days when its leader, Dr Mamphela Ramphele, was touted as the DA's 'presidential candidate'. In the most recent national opinion poll it failed to register at all.⁷ It is not clear why the party has not succeeded in exciting voters' imaginations, given the outstanding pedigree of its leader. It could be that it lacks an attractive set of policies, or at least one that distinguishes it sufficiently from the DA; like the EFF, it has a very high-profile leader, but its second-rank is largely unknown; it has also been reported that the party has struggled to source enough funding to build an infrastructure.

Whatever the reasons for Agang SA's failure to take off, it will be a pity if it does not win at least one seat. Dr Ramphele could be an extremely effective MP, given her wide range of experience over a distinguished career. And she has the all-important struggle credentials that would make it very difficult for the governing party to dismiss

her views as representing only a privileged constituency.

The National Freedom Party (NFP), which broke away from the IFP in 2011 and is led by a former IFP chairperson, Zanele kaMagwaza-Msibi, is the third of the new parties that is likely to win a seat. In the 2011 municipal elections it earned 2.4% of the vote across the country (over 10% in kwaZulu-Natal) and even if that were halved it would be sufficient for half a dozen seats. Although the party is contesting in all nine provinces, it is not particularly well-known outside its kwaZulu-Natal home, and this is likely to limit its appeal.

It seems, therefore, that the approximately 13% of the vote that will not go to the ANC and the DA will be shared roughly equally between six or seven existing opposition parties on the one hand, and three new ones on the other. Out of these, the EFF will emerge as the strongest, but it will be a long way behind the DA. Does this mean that South Africa is moving towards a two-party system? Possibly, but our current pure proportional representation system is very efficient at allocating votes to small minorities. All it takes to earn a seat in the National Assembly is a quarter of one percent of the vote, and as long as there are more than a handful of voters around for whom Afrikaner or Zulu nationalism, or evangelical Christianity, or Pan Africanism, or Black Consciousness, matter more than anything else, the smaller parties will survive.⁸

5. 'No-votes', Spoilt Papers and Other Factors

An unusual and intriguing option was introduced into this year's election at almost the last minute by two formerly high-ranking ANC members, Ronnie Kasrils and Nozizwe Madlala-Routledge. Their idea was to encourage disgruntled ANC supporters, like themselves, to register their disapproval of such matters as Nkandla by spoiling their ballot papers and thus delivering a 'No' vote to the ANC. Critics of the idea made the point that it would be difficult to distinguish between accidentally spoilt papers and those which had been spoilt for reasons of principle, and this in turn led Mr Kasrils to suggest that ANC supporters should vote for one of the smaller opposition parties – but certainly not for the DA.

Mr Kasrils and Ms Madlala-Routledge must have agonised over making such a clear public stand against the organisation they have given their political lives to, and their motives and courage cannot be questioned. However, their original idea of promoting spoilt papers seems less than useful. It would take a very significant number – at least 5% - of ANC voters to spoil their papers to make it quite clear that this was a concerted effort, not just a product of carelessness or poor voter education. Advocating a transfer of the vote to one of the smaller parties makes more sense, but again, it would be difficult to be sure that a modest increase in the votes cast for, say the UDM or COPE, was due to such a call. In any event, it does not seem that the ‘Vukani! Sidikiwe!’ campaign has taken off to any noticeable extent.⁹

Another new factor to take notice of is the fact that, for the first time in our democratic history, the credibility of the agency that runs our elections, the IEC, is being called into question. This has come about as a result of an instance of maladministration by the chairperson of the Commission, Adv Pansy Tlakula, which took place nearly five years ago when she was the IEC’s chief executive. The details are not important – suffice to say that both the Public Protector and an inquiry carried out on behalf of the national treasury have found that she interfered in a decision concerning the lease of an office building for the IEC, and that normal tender procedures were not followed. The matter is further complicated by the fact that an ANC MP is a director of one of the companies involved in the deal. Nowhere along the line has it been suggested that Adv Tlakula personally benefited from the deal.

We have a serious problem in our country of people in positions of responsibility deciding to bypass procedures and requirements. Sometimes this happens for plainly criminal reasons, as a result of patronage, nepotism or corruption. But sometimes it happens simply because the individual concerned believes that they know better than the procedures; or because a degree of arrogance leads them to think that the normal, correct way of doing things doesn’t apply to them. It seems that Adv Tlakula’s maladministration was of this latter kind. That being so, does it affect her ability to head the IEC in this election? And does it really undermine the credibility of the IEC as a

whole – a large organisation with a well-earned reputation for running polls smoothly and efficiently?

At the time of writing this briefing paper the Electoral Court had decided to hold an inquiry into these questions. Clearly, a finding adverse to Adv Tlakula would be a problem for her, personally and professionally, but it is hard to see how this would bring into question the overall credibility and probity of the preparations and execution of the election. Nevertheless, it is unfortunate that this should have happened. Given the unambiguous findings of the Public Protector, Adv Tlakula should have taken a leave of absence quickly, allowing her deputy to take charge of this election, and thus lifting the cloud of suspicion, however light that cloud may be.

Another serious problem is the way in which state resources are apparently being used to further the election campaign of the ANC and to frustrate certain aspects of the opposition’s efforts. There have been reports of state vehicles being used to distribute ANC t-shirts;¹⁰ of the SA Social Assistance Agency distributing food parcels at ANC rallies;¹¹ and of the SABC refusing to air advertisements for the DA and the EFF.¹² All of these instances will no doubt be investigated, though mostly after the elections, and CPLO will be holding a roundtable discussion in June which will examine in more detail the question of just how free and fair our elections are. For now it is enough to note that credible allegations have been made and that, if they prove to be true, they would constitute a clear undermining of the democratic process.

6. Conclusion

Despite the areas of concern mentioned above, there is very little – if anything – of consequence that prevents the South African voter from exercising his or her choice freely, and therefore from deciding the political destiny of the country. In this fact alone, we have much to be grateful for, especially when we consider the reality that faces so many people in countries like Syria, the Ukraine and the Central African Republic.

What will the outcome of the elections be? The polls that give the ANC 65% or 66% are probably

optimistic. Likewise, those who say it will fall to below 60% are too pessimistic (or hopeful, depending where they stand). We suggest 62.5%.

The DA will continue on its upward path, but there is little chance that it will touch 30%; we predict 24%. The EFF will come next, with 4.5%, followed by the IFP, with 1.5%, and then the ACDP, the UDM, the NFP, COPE and Agang SA, all with around 1%. The remaining 2.5% will be shared between the FF+, the PAC, AZAPO, and the other 17 parties, none of which will earn a seat.

Mike Pothier
Research Co-ordinator

Zikhona Sikota
Research Intern

Zikhona is studying towards her Master's degree in Political Studies at the University of the Western Cape, as part of which she is completing a six-month internship at the CPLO

¹ United Democratic Movement leader Bantu Holomisa, quoted in *Business Day* 29th April 2014.

² The roundtable was addressed by Prof Robert Mattes and Dr Zwelethu Jolobe of UCT's political science department, and by Mr Geoff Mamputa, IEC Western Cape co-ordinator for free and fair elections.

³ Given South Africa's appallingly low average life expectancy, which declined from about 60 years in 1990 to 53 in 2010, this may be a very conservative estimate.

⁴ Not least because it overlooks the fact, and certainly the claim by the ANC, that large numbers of coloured and Indian voters support the governing party; and that between them the various smaller opposition parties also attract support from racial minorities.

⁵ These include the African Christian Democratic Party (ACDP); the United Democratic Movement (UDM); the Freedom Front Plus (FF+); the Pan Africanist Congress (PAC); the Azanian People's Organisation (AZAPO); the Minority Front (MF); and the United Christian Democratic Party (UCDP).

⁶ <http://www.iol.co.za/news/politics/million-born-frees-won-t-vote-on-may-7-1.1678476#.U2JAOFdyEuQ>

⁷ <http://www.sabc.co.za/news/a/f5ba170043b5328dbb1efb239b19c088/Ipsos-election-poll-flawed:-Agang-SA>

⁸ There are approximately 25 million registered voters in South Africa. If 75% of these actually vote, which may be an optimistic number, 18 750 000 ballots will be cast. This translates into 46 875 votes per seat in the National Assembly.

⁹ In the 2009 election there were 239 000 spoilt papers. Unless this figure jumps dramatically it will not be possible to conclude that the Kasrils/Madlala-Routledge initiative was a success.

¹⁰ <http://www.timeslive.co.za/politics/2014/04/28/cop-erases-photos-of-anc-t-shirt-handout-sane-condemns-harassment>

¹¹ <http://www.news24.com/elections/news/public-protector-gets-food-parcels-for-votes-complaints-20140421>

¹² <http://mg.co.za/article/2014-04-28-da-launches-new-election-ad-eff-marches-over-sabc-ban>