

## **Diakonia Paper**

**7 November 2007**

**Jonathan Faull**



This presentation will focus on the regime of floor-crossing as currently legislated and practiced in South Africa, as well as touch on some of the implications of the current “succession battle” for the consolidation of democracy in South Africa, and the concurrent health of our ongoing transition.

### **South Africa’s use of floor-crossing, coalitions and alliances for entrenching electoral democracy**

Let me begin by thanking the Diakonia for inviting me to speak at this conference, and to participate in this important debate

#### **Introduction**

In the first instance, let us approach the issue of floor-crossing.

Floor-crossing was not, initially, a feature of post-apartheid democratic politics. In fact, floor-crossing was explicitly forbidden through a clause imbedded in both the interim and final constitutions.

The clause was included because the South African electoral system is a purely proportional one, except in local government where the system is a mix – proportional representation and directly elected ward councillors. It was felt at the time that permitting representatives to change parties would disturb the electoral balance chosen by the electorate.

The debate around floor-crossing is one that has largely been framed in official discourse by political imperatives. It is an interesting fact, that none of the original protagonists of the legislation is currently willing to defend the regime on principle. However, the political point-scoring that characterises official debate, obscures the very real consequences the introduction of defection has had for representative democracy in South Africa.

Floor-crossing as a phenomenon connects to a number of broader, equally complex issues and debates relating to the principles of “representative”, “accountable” and “participatory” democracy, as prescribed by the South African Constitution; the merits of electoral systems; their application in a transitional South Africa; and the accountability of public representatives to their constituents, the voting public – to name just some of the intersections.

Floor-crossing is a feature of many so-called “established” and “developing” democracies. But such an observation can not serve as a justification of the regime, as practised in South Africa, in and of itself. One needs to examine each occurrence of floor-crossing according to the electoral system within which it is practiced and, in turn, the institutional manifestation and legal application where it occurs. This presentation will focus specifically on floor-crossing as it occurs in the South African system of representative democracy, and its implications for consolidating electoral democracy in the context of our ongoing transition.

## **Political Context**

The issue of floor-crossing came to a head with the original incarnation of the Democratic Alliance (Democratic Party + New National Party + Federal Alliance = DA) thrashed out in mid-2000, under the pressure of the looming local government elections. Due to the Constitutional anti-defection clause parties could not legally merge between elections, and as such the DA negotiations were

pushed through in order for the three parental parties to be able to contest the December elections as one organisation.

Subsequent to the election the DA existed legally at the local level. However at the provincial and national level the three partners, the Democratic Party (DP), Federal Alliance (FA) and New National Party (NNP), remained legally separate – sitting separately in the legislatures; receiving separate allocations of public money, etc – but operated as one entity – caucusing together; voting as one, and so forth. In order for the DA to constitute itself as one party in these two spheres of government some form of floor-crossing would be necessary for the respective members to abandon their old incarnations and embrace their new identity. Alternatively the founding parties would have to wait for the next national and provincial poll in 2004 to formalise the relationship through the ballot box.

In 2001 the DA submitted proposals to then Deputy President Jacob Zuma and the Speaker's Office on how best to lift the anti-defection clause.

At this stage the measure did not find favour with the ANC, as the DA political initiative was perceived within Alliance circles as the congealing of a race and class-based, right-wing political opposition<sup>1</sup>. In the aftermath of the NNP's withdrawal from the Democratic Alliance in 2001, the political gains potentially accruing to parties changed, and the ANC, together with the NNP, DA and FA, commonly foresaw potential gains to be accrued through the promulgation of floor-crossing legislation.

The DP, NNP and FA's initial proposal to circumvent the anti-defection clause, now championed by the ANC, DP/DA, NNP and FA, instead of formalising the DA at the Provincial and National level, now had the potential to unravel the DA at the local level as NNP councillors elected on the DA ballot jumped ship to a reconstituted NNP. However, the DP continued to support the legislation due to

---

<sup>1</sup> <http://www.anc.org.za/ancdocs/anctoday/2003/at13.htm#art1>

the short term gains to be accrued at the Provincial and National levels where some disillusioned NNP representatives continued to promise alignment with the new DA.

However, the constitutional requirement of proportionality meant that the scrapping of the anti-defection clause would require a constitutional amendment. This raised the stakes of the whole issue, and brought into sharp focus the alleged political motivation behind the proposed amendment.

In June 2002 legislation to formalise floor-crossing was promulgated in Parliament. In the final analysis the legislation was supported by the ANC, DP, FA and the UCDP, and was passed by 86% of the MPs present in the National Assembly that day. The UDM immediately launched a Constitutional Court challenge which was supported by IDASA as a friend of the court – defer to general.

The purpose and effect of the floor-crossing legislation is to permit the defection of members from the party under whose aegis they were elected, as well as the merger and subdivision of political parties at all levels of government.

Michael has articulated the legal and numerical thresholds for FC.

### **Trends and Consequences**

In total 1417 public representatives have crossed the floor in the five “windows of opportunity” since the inception of floor-crossing in 2002:

- 55 Members of Parliament
- 60 Members of Provincial Legislatures
- 1302 Councillors

This has resulted in changes of administration in two provinces, the Western Cape and KwaZulu Natal, and in a plethora of municipalities.

The pattern of floor-crossing over the total period has generally resulted in the strengthening of the ruling party's representation to the detriment of the opposition. The coherency of opposition has not only been undermined by declining representation but by the further fragmentation of the opposition in legislatures. In total 17 new parties have been established at the National and Provincial level<sup>2</sup>. While all of these parties have not yet had the opportunity to compete in National elections, thus far only one, the Independent Democrats has been returned to either of these spheres of representation by citizens through the ballot box, calling into question the legitimacy of the other sixteen nascent political entities.

The South African system of representative democracy is premised on proportional representation (PR). Glenda Fick, Prof of Public Law at Wits University, has observed that "The South African electoral system is valued for its simplicity... its inclusivity (all votes count, there are no votes that are excluded) and its representivity (the electoral system is capable of accommodating a wide range of political parties and issues in a legislative body, thereby giving effect to multi-party democracy)"<sup>3</sup>. In national and provincial elections the total number of valid votes cast, constitutes 100% of the vote. Subsequent to elections, the

---

<sup>2</sup> In 2003 the Independent Democrats, National Action (Nasionale Aksie), African Independent Movement, Alliance for Democracy and Prosperity, and the Peace and Justice Congress were formed in the National Assembly. The Peace and Development Party, Independent Democrats and New Labour were formed at the provincial level in 2003.

In 2005 the Federal Democrats, Progressive Independent Movement, United Party of South Africa, United Independent Front, and the National Democratic Convention were formed in the National Assembly. The United Independent Front, National Democratic Convention, the Christian Party, Alliance of Free Democrats, and the Federal Alliance were formed at a provincial level.

<sup>3</sup> Fick, Glenda. "*Elections and Democracy: Is there free and fair selection of decision makers?*" in Calland, R. & Graham, P. (Eds). Democracy in the Time of Mbeki. (2005) Institute of Democracy: Cape Town

votes accruing to each party are tallied proportionately, and seats are assigned accordingly in line with a formula for representation<sup>4</sup>.

When an individual MP crosses the floor it distorts the balance of representation as determined by citizens through the ballot box. Fick observed that “One difficulty presented by... South Africa’s floor-crossing provisions [is to] permit the outcome of an election to be changed by the subsequent actions of individual members of the legislature between closed-list [proportional representation] elections. Such a system translates the electorate’s preference for a particular party during the election into a number of seats. If politicians are subsequently able to change this number by crossing the floor, the political will of voters is flouted”.<sup>5</sup>

In the National Assembly each of the 400 seats represents approximately 0.25% of the vote. In the 2004 elections 15,612,667 valid votes were cast in the National component of the election. Each seat thus accounted for the representation of 39,032 voters, or to visualise the concept, a sizable rugby or soccer stadium full of people. Consequently it can be argued that the 25 MPs who crossed the floor in 2005, nullified the voter intention of 979,792 voters. These voters represented 6.25% of the valid votes cast in the 2004 election.

It should also be borne in mind that the MPs who crossed the floor this year did so in the context of the second window of opportunity for the current Parliament, compounding the effects of the 2005 defection period. The 7 MPs who crossed the floor this year thus defied an additional 273,224 voters. The cumulative number of votes cast in the 2004 election that have been effectively torn up through defection now stands at 1,253,016 or 8% of the 2004 electorate. That is every 12<sup>th</sup> person in line at polling stations in 2004. It is a stunning and telling

---

<sup>4</sup> In the local sphere, a mixed PR and first past the post system is utilised.

<sup>5</sup> Fick, G. *Op Cit*.

statistic. Many hundreds of thousands of other votes cast at the provincial and local level have been similarly violated.

At the local level, South African utilizes a mixed proportional representation and first past the post system. Ward councillors are directly elected by communities and are accountable to their communities at election time. If a ward councillor resigns mid-term, a by-election is held, retaining the electoral balance as dictated by voters. Absurdly, floor-crossing allows ward councillors to unilaterally change the representation accorded to their constituents without recourse to the will of the community through a by-election.

Opinion polls have shown consistently that the effects of floor-crossing do not channel public opinion. In other words, a 2% shift toward a party through floor-crossing does not necessarily reflect a concurrent shift in voter intention towards that party<sup>6</sup>.

Electoral performance can make a case for serious distortions in representation relative to the will of the electorate: the New National Party (NNP) effectively came off a base of zero in the 2002 local government floor-crossing window, and finished with representation of over 340 councillors. Yet this “increase” in representation coincided with the party’s most precipitous decline in support, as evidenced in the 2004 election results when the NNP lost 76.5% of the vote that had accrued to it in 1999.

The 2006 Local Government election results for Cape Town highlight further distortions in representation (the details of which are contained in the draft paper in your packets), but suffice to say that when held up to public scrutiny through the ballot box, the representative correction was significant. Equivalent

---

<sup>6</sup> See the Mail & Guardian article *South Africans are Disillusioned with Politics* at <http://www.idasa.org.za/gbOutputFiles.asp?WriteContent=Y&RID=415>

distortions in representation are evidenced through elections data for other legislatures in all three spheres of government.

## **Public Money**

Floor-crossing also has a substantive impact on the provision of public money to political parties through the Represented Political Parties fund as administered by the IEC.

The IEC formula for allocating funds (90% proportional, 10% equitable) is applied below. For the purpose of the exercise below a hypothetical sum of R10million is dispersed through the fund according to the applicable formula in line with party affiliation in the National Assembly after the 2004 elections:

**Equity:** The equity allocation is divided among the provinces according to the proportion of seats that province has in relation to the total number of provincial seats. There are 430 seats in all nine legislatures; the Western Cape legislature which has 42 seats thus receives 9.767% (42/430) of the equity component of the fund to be disaggregated equitably between the parties represented in that legislature. In other words if R1m is to be distributed through the equity component of the formula, the Western Cape will receive R97, 674.42 which is then divided equitably among the parties represented in that chamber. This scenario is repeated across the other eight provinces. The equity component of the allocation formula does not take into account representation in the National Assembly.

**Proportional:** The proportional allocation is applied according to the total representation of each party across all nine provincial legislatures (430 seats) and the National Assembly (400 seats). For example the African Christian Democratic Party (ACDP) prior to floor-crossing in 2005 had 15 seats across the ten legislatures. The formula would assign the ACDP R18, 072.29 if R9m were

allocated through the proportional component of the formula ( $15/830 \times R9,000,000$ ).

In practice the current formula favours larger parties in the application of both the equitable and proportional components of the allocation. Parties with representation across a range of provinces receive a larger sum of the equitable component of the fund than parties with regional representation. It is in this way that the ACDP receives 30% more of the equity transfer than the Independent Democrats (ID), despite the fact that the ID won more votes than the ACDP in the National component of the election. Similarly, the ACDP which had 8 MPLs in 6 legislatures prior to the floor-crossing window received a larger share of the equity transfer than the IFP who had 32 MPLs, but only in 2 legislatures. Parties with representation in the National Assembly but without any representation in the provinces (e.g. Azanian Peoples' Organisation - AZAPO) receive no money through the equity transfer. Given that the proportional transfer weighs provincial *and* national seats equally, a party like AZAPO which received sufficient votes in the National component of the general election to garner a seat in the house (0.25% of representation, or 1/400, in the NA) receives 0.12% (1/830) of the proportional transfer, and none of the equity transfer.

Floor-crossing has further distorting effects on allocations under the current formula. The 2005 defection period resulted in a number of single member parties in both the national and provincial legislatures. The application of the equity component of the formula at provincial level means that single member parties in provincial legislatures receive larger shares of the total fund than single member parties in the National Assembly who, if they have no provincial representation, receive nothing from the equity transfer. The provincial bias of the equity component also means that a party like the United Independent Front which had 2 MPs in the National Assembly, but six MPLs across 4 provincial legislatures received a larger share of the total fund than the United Democratic Movement who have 6 MPs and 5 MPLs, but importantly only in two provinces.

The table in **APPENDIX 1** disaggregates the hypothetical dispersal of R10m through the fund as it would apply after the 2005 National and Provincial floor-crossing period.

The application of the formula shows significant distortions. One example is the fact that the Christian Party, a one person party in Mpumalanga (formed through the defection of the single representative of the Freedom Front Plus) that has never contested or won representation through an election, accrues more than three times the amount of money allocated to AZAPO, a party that won sufficient votes in the 2004 elections to win representation in the National Legislature.

Public money, in this way, is afforded to new parties formed through floor-crossing although these parties have not tested their ideas with the electorate. If citizens do not approve of new parties receiving public money, they must wait until the following election to vote them out their positions. In the interim millions of rands of public money is arguably dispersed in a problematic and unaccountable manner<sup>7</sup>.

Floor-crossing also exacts punitive costs to the public purse through the fragmentation and contingent proliferation of parties. Each new party formed through floor-crossing at National and Provincial level receives funds to support their legislative activity (administration, research, etc). The leaders of the new parties also receive higher salaries accorded to the status of “party leader”.

---

<sup>7</sup> See <http://www.businessday.co.za/Articles/TarkArticle.aspx?ID=1681174> for additional opinion on this matter.

## Public Opinion, Public Trust, Political Culture and Participation

10.3 Do you approve or disapprove of Parliamentary representatives leaving their political party and joining another party, also known as “floor crossing?”

	Black	Coloured	Indian	White	Total
<b>Approve strongly</b>	18	12	8	5	16
<b>Approve somewhat</b>	16	20	9	14	16
<b>Disapprove somewhat</b>	21	35	21	17	21
<b>Disapprove strongly</b>	41	27	58	57	42
<b>Don't know</b>	4	6	2	7	4
<b>Refused</b>	*	1	1	*	*

Source: [http://www.washingtonpost.com/wp-srv/politics/polls/vault/stories/sapoll\\_10years.pdf](http://www.washingtonpost.com/wp-srv/politics/polls/vault/stories/sapoll_10years.pdf)

For all the reasons highlighted above, it is not surprisingly many citizens feel aggrieved by the system of floor-crossing as it is currently legislated in South Africa. A survey released by the Washington Post, Kaiser Family Foundation and Harvard University in 2004, asked citizens “Do you approve or disapprove of Parliamentary representatives leaving their political party and joining another party, also known as ‘floor crossing’?” Results indicated high levels of antipathy towards defection: 32% of respondents indicated “some” or a “strong” level of approval for floor-crossing. In contrast a total of 63% of respondents indicated “some” or “strong” disapproval of the regime. The largest group of respondents, 42% of the sample, disapproved “strongly”.

Data also suggests that floor-crossing reinforces perceptions of alienation among sections of the South African voting public. In 2004, turnout of voters in KwaZulu Natal and the Western Cape, the two provinces most effected by the 2003 national and provincial defection period, registered the lowest levels of voter turnout for polls across the country, 73.51% and 73.05% respectively.

When weighing up the advantages of exercising democratic citizenship with spending the morning in bed on Election Day, it must be tempting for supporters of smaller parties to veer for the latter when the net beneficiary of floor-crossing at all levels has been the ruling party at the expense, and fragmentation, of opposition *in toto*. The ANC, effectively protected by the clause requiring 10% of a caucus to cross before any individual may move, is yet to lose a national or provincial seat in any legislature through floor-crossing. Unsurprisingly, the system is perceived as unfair specifically by, but not limited to, opposition constituencies.

Voter apathy in the context of a PR system has a substantive effect on electoral outcomes. Voters impact on the result whether they vote or stay at home. If 2 people vote or if 20 million people vote, the sum of the votes is formulated into a 100% figure and divided up proportionately. When people stay at home they thus increase the proportional and representational “power” of every vote that *is* cast.

## **Party Politics**

There is also an argument to be made that floor-crossing is bad for internal party politics in a number of ways. Political parties are generally formed by collectives of citizens who share common grievances and aspirations. These citizens band together and form a party to represent their interests, and elect leadership to advance their cause. These leaders are, in turn, accountable to their members, whom they represent and can be removed or rewarded according to the membership’s assessment of their performance. Parties then test their ideas and practices with the broader electorate to compete for representative office through democratic elections.

In the case of floor-crossing, the organic process of party formation is turned on its head. At the moment of the party’s birth it has representation in a legislature

or council, but no membership or grass-roots infrastructure. These structures and membership are then sought out and established through a top down inversion of established political practice.

The lack of leadership's accountability to existing structures can lead to petty squabbles and the entrenched of factionalism very soon after the establishment of a party. Access to state resources, through representation in office, can then lead to patronage politics asserting itself through the nascent structures in order to further the political cause and longevity of particular personalities and personality cults. The fractures and protracted court cases relating to formation of the National Democratic Convention (NADECO), the United Independent Movement (UIF), and, to a lesser extent, the Independent Democrats, are all a function of the perversion of party formation affected through floor-crossing.

The defection of disillusioned representatives through floor-crossing also affects existing and established political parties. The 2005 floor-crossing window saw, for example, the IFP, a party already in electoral decline, haemorrhage representation to the a new political entity, NADECO. Representatives who have left the IFP for NADECO have cited various reasons for their departure: from clashes with the leader, to a lack of vision on the part of the organisation.

The defection of these members from the IFP robbed that organisation of an important internal debate, and one with the potential to change or renew the organisation. Floor-crossing encourages disaffected members to withdraw from party disagreements, sucking the life-blood from the internal debates that drive political parties to remain relevant to the concerns, grievances and aspirations of citizens more generally.

The temptation to jump ship rather than engage one's colleagues in substantive debate appears to be an increasing reality in South African politics. This is unhealthy in the context of a developing political culture.

It is worth dwelling on the proliferation of smaller parties through floor-crossing for a moment in a more abstract manner: Every seat, in every representative forum represents the valid votes of citizens cast in the elections that underpin the entire edifice of democratic politics in this country. The representatives who occupy these seats constitute a community elected by South Africans, for South Africans, to realise the collective dreams and aspirations of our nation. Yet among them sit a small (but growing) group of people whose parties have never received a vote, or a mandate to represent anyone.

In another context and another time one might be tempted to term them petty dictators: self-appointed, unelected, beneficiaries of the public purse, masquerading under the guise of democracy, claiming the people's voice without a mandate, and representing citizens' interests as they see fit. Unfortunately this abstraction exists in our legislatures, with very real consequences.

### **Floor Crossing Conclusion**

For democracy to sustain itself, it has to win the trust of its citizens. In the context of the transition from an anti-democratic, authoritarian government to democracy, in which new democratic structures must assert their relevance and representivity in opposition to lived memories and experiences of institutional impunity, floor-crossing has the potential to undermine the integrity of aspects of the transition and the consolidation of our democracy.

Proposals to amend or scrap floor-crossing are currently before Parliament, and have been referred to ANC's branch structures in order to prepare a resolution for the National Conference in December 2007<sup>8</sup>. Parliament and the ruling party

---

<sup>8</sup> The ANC had hoped that structures would give leadership a mandate through the debates at the National Policy Conference in June 2007. However, the two Legislature and Governance Commissions convened at the Conference returned to plenary with contradictory

should reflect on the unintended consequences of the legislation, and use the opportunities available to them to scrap the practice in lieu of a more comprehensive review of our electoral system which can be implemented in the medium term.

It is our view that perceptions of expedience driving the defection of representatives, public antipathy towards the regime, the distorting effects of floor-crossing on representation and participation, the apparent relationship between rising levels of voter apathy and floor-crossing, and the negative effect of defection on the development of political parties, collectively mitigate the intended benefits of the legislation. The contradictions arising at the intersection of a proportional representation, party list electoral system and floor-crossing, as currently legislated, indicate the need for either electoral reform, or the reform or scrapping of floor-crossing.

### **Some reflections Succession**

The ANC straddles South Africa's political landscape as a literal behemoth. It governs at a national level with almost 75% of the seats in Parliament (nearly 6% of that representation was accrued through floor-crossing and not through the ballot box), the party governs in all nine provinces, and holds executive power in five of the six major cities in the country. Not one of the plethora of opposition parties currently represented in the formal institutions of representative governance, have the legitimacy to challenge the incumbency of the ANC for the foreseeable future.

In other words, the health of democracy in South Africa is intimately tied to the health of the ANC. In just over a month the ANC will convene its third National

---

recommendations: one commission advocated the scrapping of floor-crossing, while the other remained partial to the status quo.

Conference since its transformation from a revolutionary, national liberation movement to the governing party it is today.

The National Conference is important for a number of reasons. The Constitution of the ANC holds that the National Conference of the organisation is its highest decision making body. The Conference itself is composed of delegates deployed by branches in good standing to consider the vision (Strategy and Tactics), policies, organisational coherence, and leadership of the movement. Given the ANC's political hegemony, the implications of the decision made by the 4075 delegates at Polokwane weigh heavily on the trajectory of our ongoing democratic project.

The Conference is being largely overshadowed by a leadership contest centering on the personalities of the incumbent party and state president, Thabo Mbeki, and his party deputy, Jacob Zuma. The party's president lest we forget is hypothetically affirmed as the "preferable" candidate for the state presidency in 2009 as a consequence of a recommendation of the ANC's Policy Conference held in June this year. The party appears to be very evenly divided on the matter, and both candidates can still draw confidence from the balance of forces at the party's grassroots, to presage a possible victory.

Numerous commentators and ANC officials have commented that a close race is evidence of the strength of democratic tradition in the ANC. This may be true, but the potential consequences for democracy in South Africa are not all necessarily rosy.

The ANC is a complex and cumbersome organisation. It contains within its ranks a range of complimentary and contradictory constituencies from communists and Catholics, non-racialists and African nationalists, capitalists and socialists, urban and rural, and a range of class schisms. The complexity of the ANC's makeup has intensified through the transition of South African society, which is mirrored

to some extent in the make up of the ANC. As a consequence the ANC now has within its ranks a definite business constituency, and an established relationship with both entrenched and new capitalists. Such a scenario was unthinkable in the 60's let alone the early years of the transition.

In order to manage this proverbial "broad church" the ANC draws heavily from its traditions of concession making and consensus seeking, as interpreted through the quasi-Leninist practice of democratic centralism. With such a diversity in its ranks, the centre must hold.

The prospect of a deeply divided, and relatively evenly divided party, as a consequence of either Mbeki's re-election or Zuma's ascendancy, is a very real scenario, with consequences for democracy in South Africa.

The debate within and without the party on the so-called "two centres of power" thesis, could create a tense standoff for the final 15-18 months of Mbeki's state presidency with Zuma's party presidency located at Luthuli House. This could have the potential to exact great strain on the institutions of government and the separation of powers, especially if Zuma is recharged for corruption while marking his days for a return to the Union Buildings.

It is likely that should either Mbeki or Zuma win, the "battle" will continue to protract and transfer its focus from Polokwane to the ANC's list process preceding the 2009 elections.

There are of course other scenarios: If either Mbeki or Zuma wins, they could pursue an appeasing peace, seeking out and mending fences with aggrieved parties and constituencies. Both Mbeki and Zuma could reach out to internal power blocs who may potentially alienate themselves through their positioning, with the prospect of ongoing struggles and shenanigans. Zuma specifically will be hard pressed to convince a range of external constituencies (specifically the

international community and domestic and international capital) who do not trust his potential stewardship and economic policy positions.

A final scenario is the ANC's established tradition of compromise that could throw up a dark horse candidate at the last minute. In this scenario supporters of both Mbeki and Zuma who fear a divided party band together around a personality agreeable to both "camps". Many supporters of both candidates support either Zuma or Mbeki precisely because they would ward off the other's ascendance to power. If either set of these "soft" supporters feel their candidate may lose, it is in their interests to initiate talks with other "soft" supporters to try to stave off the victory of the other personality.

Suffice to say, one month before the Polokwane Conference nobody can predict with a measure of certainty the outcome of the ANC's presidential contest, and neither should one speculate too closely about the numerous permutations of power that will unravel as a consequence of the electoral conference.

Positive precedents have already been established as a consequence of the ongoing drama: the silence of the ANC edifice so characteristic of the early transition has been fundamentally broken, with important policy and principled debates spilling into the public domain. In certain, but uneven, instances we have seen oversight of executive structures strengthened, as power blocs in the party realign and coalesce. We could still emerge from the "battles" of the next 15-18 months (between now and the 2009 poll) as a stronger democracy, with a new sense of introspective and vigorous debate, a new spirit of holding power to account, the separation of powers affirmed and the rule of law, and stronger state and representative institutions. Only time will tell.

## **Implications for the Church**

It has to be said that this section of the presentation is the one that I am least qualified to present. As such I will merely offer some personal reflections:

Real democracy requires citizens to exercise agency, and to participate in the life of democracy. If citizens defer their agency to the state and authority, they become little more than recipients of “benevolent” largesse, the commodified and alienated clients of an expert state. Participation in democratic structures and democratic life, the questioning of decision making, the seeking of truth, civic activism, and the development of societal bonds are all important cornerstones of any successful democratic project.

The Church is a deeply respected institution of civil society in South Africa that touches the lives of many, if not most, of its citizens. It thus stands in a position to offer both guidance, and an important moral voice of conscience in the current context. It is important at this juncture to remind the country what it is that the ANC was established to achieve: not to entrench personal legacies, political and material fortunes of personalities and factions, but to further the ideal of achieving a democratic, non-racial, non-sexist state that belongs to all who live in it.

The Church can both encourage debate within and without their structures on all of these important issues, as well as gently encourage its congregations to live democratic lives as agents of both individual and collective change.

I conclude by thanking you again for convening just such a forum, and inviting me to participate in this important debate.

*Jonathan Faull is Political Researcher for the Political Information and Monitoring Service (PIMS) at the Institute for Democracy in South Africa (IDASA).*

*The views expressed herein are personal, and, notwithstanding the analysis of floor-crossing, do not express the positions of IDASA or its staff collective.*