

Institute of Public Affairs and Africa Centre public lecture

Protecting South Africa's Fragile Democracy

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Given the prevailing sentiment towards my country at the moment, let me start out by saying that I have never been more positive about the future of South Africa than I am now.

If you have ever visited South Africa, which I hope you have, you may have been to the Cradle of Humankind just north of Johannesburg, where the oldest skeletons of the human species have been found. The lesson is simple: We have been in South Africa for 3.5 million years, and we will be there for many millennia to come. Don't misjudge us! We will thrive.

Visiting the site of those discoveries gives one a very humbling sense of one's place in the world. But it also reminds us that all of human history is the story of slow, steady, often painful, but never-ending progress. The occasional reversal is part of this pattern, if we learn the right lessons, which South Africa has always proved capable of doing.

Despite our current difficulties, South Africa is an infinitely better, more just, more humane place than it was 25 years ago. Of course, things could currently be better, but they could also be infinitely worse. It doesn't require too much imagination to think about where we would have been had we continued down the path of an escalating civil war. South Africa, one of the most complex, divided societies in the world, made a different choice.

Part of what makes me so positive about our future is to look at how far we have come in such a relatively short space of time, compared to other societies which have transitioned from poor, oppressed and underdeveloped to wealthy, free and democratic.

We have leapfrogged the years of war and bitter division that a country like the USA had to endure, and we have leapfrogged the centuries of painstaking and often violent reform this country endured.

This is my Africa, a continent I'm proud to be part. It's with its pain and prospects, I still remain proud of our home.

But I also know that history's steady march does not happen by chance. It happens, in part, because of the conduct of courageous, visionary leaders and their ability to inspire their followers. South Africans, that witnessed our transition from apartheid to democracy, are more aware of this than most.

Of course, there is nothing inevitable about South Africa's future prosperity. It will not happen by providence.

We will prosper because we share a vision of where we are going, and what we have to do to get there — and then actually do it, despite the obstacles.

This requires many things, but visionary leaders are an essential ingredient.

I could invest our time in the history but today is about the discourse of South Africa's future

So why am I so positive about South Africa's future? I hope to convince you in our discussion this evening.

Firstly, our politics has never been so fluid.

It is never possible to predict the future in politics, but in recent years the one-party dominance of the ANC has been relatively predictable in election outcomes. Not so anymore.

The ANC has lost the moral high ground it once occupied, and voters increasingly view it as irredeemably corrupt and uncaring.

This means it is fast losing the support of many voters, who are starting to consider the possibility of voting for other parties as a legitimate method of enforcing accountability. This is a crucial and difficult step in any emerging democracy, but South Africans are taking it.

This means that we, the Democratic Alliance, are winning elections. Not yet at a national level, but certainly in major cities and provinces. For the first time, in the local government election that we are about to hold on the 3rd of August, the ANC faces the possibility of electoral defeat in several of the country's major urban centres.

And it is encouraging to see how the simple mechanism of healthy electoral competition has already begun to alter the behaviour of the governing party. For example, the ANC's structures in Johannesburg (the largest of the cities in which it is vulnerable) have hurried to loudly distance themselves from President Jacob Zuma in an effort to show voters that they are somehow separate to the rest of the party. Time will tell if voters are convinced or not.

Secondly, our Constitution is working. Earlier this year, the Constitutional Court issued a devastating judgment against the President, finding that he had violated his oath of office and the Constitution. This was in a case relating to the building of a massive and luxurious private homestead for the President at the public's expense, and his deliberate efforts to avoid being held accountable for that abuse.

The real test of a country's prospects is not merely that it adopts a good Constitution, as we did, but whether the constitution's checks and balances work when the rubber hits the road.

In this case, it worked.

As the Chief Justice put it so arrestingly, and so scathingly, in his judgment against the President, "the Constitution, the rule of law and accountability is the sharp and mighty sword that must always be ready to chop off the ugly head of impunity from its stiffened neck".

That one sentence captures so much of what we in the Democratic Alliance are trying to entrench in South Africa.

So we are engaged in a wonderful, fascinating, and incredibly important project at the southern tip of Africa: to prove that it is possible to build a prosperous, mature democracy in the context of massive constraints – including a centuries long history of racial division, massive unemployment, and a faltering economy.

Let me now turn to the complexity of building and entrenching democracy in the context of several big constraints.

If you have read your copy of "Why Nations Fail", something of a how-to guide for building a fragile democracy, you will know the absolutely critical importance of institutions. This point is underscored in follow-up works like Fukuyama's *Origins of Political Order* and *Political Decay*.

By institutions, we don't only refer to things like an independent revenue service, we mean all of those legal and Constitutional mechanisms that place a limit on executive power: The rule of law, an independent criminal justice system (both prosecution and judiciary), the strict separation of powers, the Chinese wall

between party and state, a free media, unfettered political organising, a muscular legislature, and so on.

As a politician in the arena, I absolutely agree with this framework.

However, what the theory consistently ignores, or at least grossly underestimates, is the role of leadership in building institutions. The quality of leadership is the defining variable for young democracies.

In a mature democracy, even if bad leaders manage to get elected, they are soon ejected – or at least they are rendered lame ducks by Parliament, or the courts. America's institutions are strong enough to ensure that even if, heaven forbid, Mr Trump does get elected, any effort to upend the US constitution will be blocked. The institutions are stronger than any one personality.

Not so in fragile young democracies like South Africa, where personality and “big man” politics is still very powerful.

It takes a visionary, big-picture thinker to understand that leadership in a fragile democracy is about building social and political capital. It is about offering a unifying vision of the future that motivates citizens to aspire for something as a country, to work towards something, and that is not based on the old divisions. It is the politics of addition, not division.

You need a cadre of leaders who have the moral compass to put the country ahead of themselves. Otherwise, the result is a slow descent to kleptocracy.

You also need leaders who accept that there must be checks and balances on power, and that the exercise of power must be dispersed in different centres, so that no one person can abuse power and undermine institutions again. Students of economics will immediately spot the problem. If leaders are required to set up institutions to ensure that their own power is limited and diffuse, there will be few incentives for any leader to ever do that. Unless the voters hold those leaders accountable. There is no greater incentive to reform than the threat of electoral defeat.

Very few leaders have the qualities of our first democratically elected President, Nelson Mandela. He understood the imperative of building one nation from deeply divided parts. He understood that in order to build political capital and legitimacy for the new South Africa, he had to entrench the culture that institutions of the state are there to serve the public, not the political elite.

That sounds almost romantic in the South Africa of today, where the President and Cabinet love to flaunt the outward displays of power, and have perfected the art of subtly eroding the power of the institutions. We all see the risk looming of a kind of shell state, in which power is exercised as theatre – merely to perpetuate

the image of power. Behind the dark tinted windows it's just a hollowed out, parasitically corrupt, mess.

This problem of leadership also captures a fault at the heart of our Constitution. As great a document as it is, it gives enormous power to the Executive, and to the President in particular.

It was a constitution authored for a President of the caliber of Mandela, not for one as dishonourable as Jacob Zuma. And we have learnt the time honoured lesson that a constitution should be framed to withstand the worst leaders, not assume the best.

For example, the President, not the legislature, is given the power of appointing the national director of prosecutions. Who would have guessed that within a decade of President Mandela's retirement, South Africa would have a President facing charges on 783 counts of corruption, money laundering, fraud and racketeering, yet able to hire and fire the person responsible for deciding whether or not to prosecute him.

President Zuma has led a systematic assault on our democratic institutions during his term in office. Much of this assault has been aimed at keeping himself out of court and out of prison, but there is also a growing weight of evidence to suggest that the state is being widely captured to enrich his family and friends.

For example, the rule of law requires that court judgments be obeyed. But we have recently had the absurdity of the President and the National Director of Prosecutions, being in contempt of an order of the Supreme Court. The head of a specialist investigative unit called the Hawks, who is also appointed by the President, one Major General Berning Ntlemenza, recently said (without a hint of shame) that an "adverse judgment is merely the judge's opinion".

As journalist Sam Mkokeli has argued, the appointment of completely incompetent and obviously unfit people to positions of great responsibility is no mistake. It is a deliberate "ploy to subvert the public service so that the master's will may be done". That it is the assault on institutions up close.

But state capture by Jacob Zuma is still reversible in South Africa. Some institutions, most notably the Judiciary and the Public Protector, Advocate Thuli Madonsela, have shown remarkable resilience and independence, despite all efforts to rein them in.

And recently, the Constitutional Court, in a landmark judgment, ruled that the Independent Electoral Commission had failed to meet all the requirements of holding a free and fair election, giving it 18 months to comply fully. We know where the weak spots are, and we will be monitoring the forthcoming elections for any irregularities, very closely.

Because, in the end, the most important check on power is the voters. Being the leader of the DA gives one a unique perspective. We are not only a party of opposition. We are a party of government, in a metropole, and in 30 local authorities in four provinces.

The governments we do run, we won with very slender majorities that we have since built up through hard slog. We know who our masters are – every single voter, every single complaint (often received in the middle of the night, without any thanks) is important.

This is a fundamental point in a democracy. Why do incumbents, those who hold political power, have weak incentives to curb their own excesses, build a state and deliver to the voters?

Well, incentives in a democracy are called accountability, and accountability is enforced primarily through the ballot box. The pre-requisite for any successful democracy is that voters understand that they can, and must, use the power of their vote to dish out punishment to the corrupt and choose a new government.

And that is where South Africa's greatest hope lies.

Now, let's consider some of the other "constraints" to successful democracies that the literature identifies, specifically an ineffective state, and a fragile economy.

It is a common feature of young democracies, especially in societies with high levels of poverty, that the capacity of the state to actually deliver on its mandate is quite weak.

Here, the DA is showing what is possible by building a capable state where we govern at provincial and local level. We do this by rejecting the politicisation of the public service that has come to define the ANC and by giving public employees positive motivation centred on excellence and service of the public. In short, a professional public service.

All employees, in whatever field, want to be part of an organisation that exudes a sense of purpose and excellence. We make it clear that we want to deliver the best service, we want to be the friendliest, most responsive, most professional civil service. We want all DA politicians, and all civil servants in DA governments, to follow the ethos of "we serve the public, the public does not serve us".

We focus on rooting out corruption and throwing open the doors and windows of government with total transparency about the expenditure of public money and the awarding of contracts.

We are the only government, for example, that has passed legislation wherever we govern to ensure that people who work for the state don't benefit from businesses that do business with the state. This conflict of interest is the root of much of the corruption in South Africa.

We also cannot hope to build a capable state without improving public education. Education in some rural parts of South Africa is among the worst in the world. Where we govern, we are steadily improving the quality of public education, especially for the poor, by focusing on a few core interventions – the quality of teachers, the quality and accessibility of textbooks, school attendance (by learners and teachers alike), and the use of information technology in education.

Another major constraint is our fragile economy. Fragile in the sense that we are very susceptible to economic shocks, but also in the sense that the crisis of unemployment in South Africa threatens to topple the entire democratic project.

Economies face shocks all the time — external shocks, natural disasters, internal shocks. The important question is how those societies handle those shocks.

In South Africa, we've had all three at once.

We are still mainly an exporter of raw commodities, and the global commodities slump has hit us hard. We are also currently suffering through the worst drought in nearly a century. And finally, we are still trying to recover from the internal shock of the ANC's complete mismanagement of economic policy, typified by the President's disastrous game of musical chairs with finance ministers in December last year.

Interestingly, the data on economic shocks and democracy show that the lowest reduction in GDP happens in those countries where democratic institutions are strongest – where constraints on executive power are strongest.

South Africa's lack of economic resilience threatens our entire national project. Unemployment in South Africa is so high, and rising, that it threatens to undermine the legitimacy of democratic government.

Increasing unemployment and poverty adds to the feeling of economic exclusion that many South Africans feel. With this sense of exclusion comes increasing anger and conflict; anger which can easily be exploited by populists and demagogues to mobilise support.

The sense of economic dislocation is fanning the incendiary rhetoric of populists across the globe. The inexplicable rise of Donald Trump, the nationalist messaging of the "Leave" campaign here in Britain, the rise of Marxist-Leninists and far-right movements at home and elsewhere – are all symptoms of a politics that taps in to the public's anxiety, without the luxury of facts or reasonableness.

This, in turn, makes peaceful and co-operative labour relations increasingly difficult. This is an area that is commonly listed as a major obstacle to investing in South Africa. It does not help that governing politicians commonly abuse the business community and actively break down whatever co-operation exists. It is true that South Africa's labour policy space needs reform, but it also just needs a government that is committed to the politics of nation building.

We understand that you simply cannot develop an economy and create jobs without a proper, modern private sector that is attractive to investors. No good can come from vilifying and alienating the private sector with defunct Marxist rhetoric. The business community is an essential partner in the democratic project. Again, we want to bring more people on board. We are a party of addition, not division.

Add to this the very real legacy of racial exclusion in South Africa that still largely defines the life chances of most people. It is a simple fact that the face of poverty in South Africa is still black, and that economic opportunity and participation is still very skewed on racial lines.

That is why it is an essential to that we focus not only on the growth imperative, but also on undoing the racially exclusive structure of economic opportunity. This involves actively helping black South Africans get on to the first rung of the ladder of asset accumulation that is critical for breaking the cycle of intergenerational poverty.

What De Soto wrote about, and what was tested in small scale in South America, we are doing in large scale where we govern: making sure that urban, poor, black South Africans have title deeds to the properties where they live. So far, our governments have put tens of thousands of property titles in people's hands.

Where the DA governs, we are again trying to model a vision for South Africa by building a much more inclusive economy, that extends opportunity to black South Africans, and that is more resilient to shocks.

And again, the link between these factors is unavoidable. New investment is attracted to legitimate governments, where the rule of law works, where corruption is minimised, where the public service is professional. It quickly becomes a virtuous circle, that results in unemployment being significantly lower wherever the DA governs, and economic growth being significantly higher.

We are trying to diversify the economy by attracting investment in industries like green energy, agri-processing, tourism and manufacturing. We're trying to build closer economic and trade links with other African states, especially in the SADC region, following a trend in favour of greater integration and unity across the

globe (except, perhaps, here in the UK – where I sincerely hope the public will choose unity with sovereignty, over isolationism).

Ladies and gentlemen,

It is such a privilege to be a part of this extraordinary experiment in South Africa. We are a young and fragile democracy, and we face all of the threats and constraints that other fragile democracies face. And we face a few unique ones of our own.

But we are tackling those constraints head on.

We reject the politics of bitter racial division. We reject the idea of achieving change through violent revolution.

We are absolutely committed to the project of building a united, prosperous South Africa – under the rule of law, with a capable state, and a growing economy.

The battle to maintain these principles is never-ending, and we know there is much at stake. This is our democracy, and we will fight to protect it from both the kleptocrats and the ideologues.

We are absolutely devoted to modelling that alternative where we govern, and by winning more governments through the peaceful democratic means of the ballot box.

That is the purpose of our efforts every day. And increasingly, South Africans are receptive to our message. That is why I am more optimistic about the future of our country than ever before.