

South Africa's Third Local Government Elections and the Institutionalisation of 'Low-Intensity' Neo-Liberal Democracy

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Introduction

South Africa's third local government elections - held on 1st March 2006 – were, according to most local/international media, politicians and electoral analysts, a hugely successful affair that confirmed the maturation of South Africa's fledgling democracy. In the words of South African President Thabo Mbeki: "We must celebrate the reality that the principal actors in our electoral process ... contributed severally and collectively to the further consolidation of democracy in our country. We must celebrate the fact that once more, we have held free, fair and largely peaceful elections, whose results reflect the will of the people".¹

On the surface of things (i.e., at the macro-institutional level) such a conclusion appears eminently reasonable. After all, or so the conventional logic punted by most politicians, electoral observers and political analysts goes, unlike in so many other Sub-Saharan African and 'third world' countries where the institutional mechanisms and socio-political conditions for multi-party electoral competition in free and fair democratic elections are either weak and/or virtually non-existent, South Africa has all the right '(pre)conditions' in place: a *Constitution* guaranteeing the right of freedom of association, assembly, movement and expression as well as the separation of powers between the judiciary, legislative and executive arms of the state; specific laws that codify the electoral system and a 'code of conduct' for political parties contesting elections at both national and local levels; an 'Independent Electoral Commission' (IEC) to manage all elections; and, an extensive and vibrant 'civil society' to provide societal 'checks and balances' vis-à-vis the state and those elected into positions of power.

Not surprisingly then, the dominant perspective is that such (pre)conditions, alongside their effective application have, in past elections as well as in relation to the recently-concluded local government elections, served to ensure that they were both free and fair and reflective of the democratic will of the people of South Africa – notwithstanding some debate around the need to tweak the electoral system as a means to enhance representative accountability, and a few practical hiccups here and there.

However, before we conclude that all is well and lend unquestioned credence to President Mbeki's celebratory remarks, there are several crucial questions that need to be asked (and answered): What is the relationship between the socio-economic conditions of the vast majority

of South Africans vis-à-vis the character and content of the institutional (democratic) framework and accompanying policy formulation, as well as the practice of electoral politics in the country? Why is there an increasing use of the institutional and coercive capacity of the state against those socio-political forces who are critical of the 'democracy' that has been delivered and who effectively operate outside the ambit of institutionalized, electoral politics - and does such state activity constitute a threat to democracy itself? Why did a large majority of citizens choose not to participate in the elections and what does this say about the 'mandate' of the ruling African National Congress (ANC) and the kind of democracy 'delivered' to South Africa? Does the outcome of the recent elections constitute a ringing endorsement of popular democratic will?

This paper seeks to address these, and other, pertinent questions as a means to show that all is not what it might appear to be in relation to democracy and elections in South Africa. The core thesis here, is that South Africa's elections –and with specific reference to the latest local government elections - provide ample evidence that the country has entered a terrain of low intensity and commodified democracy that is embedded within a neo-liberal political economy. It is a terrain that is constituted, in electoral terms, by a 'silent majority' that has already opted out of electoral politics a mere 12 years after South Africa's first-ever democratic elections. It is a terrain in which the mere existence and functioning of institutional, electoral (pre)conditions as well as representative democratic institutions and processes, while providing the framework for 'free and fair' elections, increasingly mask the decline of meaningful popular democratic participation/control. And, it is a terrain that has rapidly come to mirror the western 'liberal bourgeois' model in which elections and electoral politics have become the playground of those with access to state power, capital and patronage.

Reason 1: Embracing neo-liberalism and worsening socio-economic conditions for the majority

Despite the more general social, political and economic advances that have been made in South Africa since the formal end of apartheid in 1994, there is no denying the fact that the fruits of such advances are only being enjoyed fully by a small minority. The gap between the few 'haves' (represented by established, mostly white, corporate elites as well as a bureaucratic state elite and fast expanding black middle class) and the many 'have nots' (represented by an overwhelmingly black majority of workers and poor) is widening rapidly.

To locate and understand this reality, means locating and understanding its foundation. Despite the adoption of the redistributionist *Reconstruction & Development Programme* (RDP) as its electoral manifesto for the 1994 elections, the first two years of South Africa's new democracy witnessed the ANC's gradual, even if at times contested, political and ideological acceptance of the broad framework of a globally dominant, neo-liberal political and economic orthodoxy. In order to sell this shift to its constituency of workers/poor, the ANC cleverly sought to equate its acceptance of liberal bourgeois democracy, alongside neo-liberal economics, as the will of 'the people'. This twinning made it appear that neo-liberalism was as a necessary and natural economic order emanating from the equally necessary and natural political order of liberal bourgeois democracy. Under such a scenario, democracy and development could then become synonymous with the 'growth' of a capitalist, neo-liberal 'free market'.

Crucially, this rightward ideological shift was paralleled by the systematic dismemberment, or incorporation into the organisational framework of the ANC itself, of most independent and allied community organisations (whether ‘civics’, women’s organisations and/or youth groupings etc.) in South Africa. By the mid-1990s the vast majority of those community organisations that had been so central to the radical democratisation of the anti-apartheid struggle and popular, participatory politics, had been swallowed by the ANC and, to a lesser extent by its Alliance partners.

The ‘deal’ was then institutionally codified with the formal unveiling of the overtly neo-liberal *Growth, Employment and Redistribution (GEAR)* macroeconomic strategy in mid-1996. In order to propagate the idea that *GEAR* would ultimately benefit everyone (especially the workers/poor), the idea was proffered that a combination of economic affirmative action (through land distribution to a new class of black commercial farmers and state assistance to emerging black industrial/manufacturing entrepreneurs) and new black economic empowerment initiatives through ‘partnerships’ with corporate capital, would best ‘deliver’ the desired outcomes of economic redistribution, social equity, job creation and, of course, ‘economic growth’. The ANC government argued that these (supposedly) ‘redistribution-through-growth’ measures - in reality nothing more than classic ‘trickle-down’ economics dressed up in racial garb - would engender, in the longer-term, the kind of ‘investor confidence’ and solid monetary and fiscal platform needed to address mass unemployment and poverty². In turn, this socio-economic foundation would ensure the health of political democracy, evinced through reformed public (state) institutions and a new non-racial representative electoral model.

And yet, every major piece of research conducted over the last several years, both by the state and independently, exposes the neo-liberal ‘democratic’ growth myth for what it is.

A 2003 research survey by the Community Agency for Social Enquiry on behalf of the South African Bishops Conference (which included interviews with over 6000 people in 60 poor communities) found the following³:

- 55% of unemployed and 32% of employed said they were unable to afford food
- 54% of jobless and 43% of employed could not afford basic services
- 46% could not afford rent or bond payments
- 68% earn less than R500 per month whether working, self-employed or unemployed
- 86% are looking for work
- 1 in 8 among self-employed said they earned enough to live on.

Research conducted by the Development Bank of South Africa in 2005 revealed that the number of South Africans in poverty (with the national poverty line for 2002 being benchmarked at a miserable R354 per adult per month) in all population groups increased dramatically, from 17 million in 1996 to 21 million in 2003. During the same period, average household income rose by 7,6%.⁴ Confirming this trend, the 2006 ‘South Africa Survey’, revealed that the proportion of people living on less than US\$1 a day – a somewhat arbitrary but nonetheless useful measure of absolute poverty, globally - had more than doubled since 1994.⁵ Put together, these figures confirm that there exists an increasingly unequal income distribution in a country which is already ranked amongst the most unequal societies in the world. Indeed, the state’s own earlier

figures (2002) show that the poorest half of all South Africans earn just 9,7% of national income (down from 11,4% in 1995), while the richest 20% take 65% of all income.⁶

According to the state-initiated Taylor Commission Report (2002), 55% of South Africans live in poverty and 60% of the poor receive no social security transfers and/or grants.⁷ Making matters even worse, an independent study focusing on South Africa's main urban areas in 2004 (the 'Cities Report') revealed there was a 180% increase between 1996-2001 in the number of urban households with no measurable income at all.⁸ A much more recent report by the University of South Africa (2006) put South Africa's unemployment rate at "between 30 and 40 percent, depending on which definition of 'unemployed' is used" and concluded that, "the economy is not creating jobs - to a large extent it's jobless economic growth."⁹ The 2005 United Nations Development Fund's Human Development Index (using measurements of life expectancy, educational attainment and adjusted real income) placed South Africa 120th out of 177 countries measured. By comparison, the occupied Palestinian territories ranked 102nd.¹⁰

Underlying this mass poverty and inequality is the widespread lack of quality basic services, especially in rural parts of the country. A study undertaken by the United Nations Development Programme (2003), found that the number of households considered deprived of access to 'good' basic services increased from 5.68 million to 7.24 million between the 1996 and 2001 censuses. Relative to the size of household population in 1996 and 2001 respectively, the percentage of the population deprived of such basic services increased from 63% to 65% of the overall population.¹¹ In South Africa's main urban centres, the 'Cities Report' revealed that the increase in the amount of shack dwellings is almost equal to the total number of houses built between 1996-2001, that the number of households without electricity and water (whether unconnected or disconnected) virtually matches the number of those who receive these services and that two-thirds of urban adults have not completed basic secondary schooling.¹² Recently released figures from the Human Sciences Research Council show that while 2,3-million households lacked water in 1994, that figure rose to 2,6-million ten years later; additionally, the 1,6-million households living in shacks in 1996 had increased to over 2 million by 2004.¹³

It is, by any measurement or post-1994 timeframe, a sad state of affairs given the considerable human, natural and capital resources in a country like South Africa. But it is explainable given the political/ideological understanding of, and practical approach to, development and democracy that has been accepted and institutionalised by South Africa's political and economic elites. Rather than seeing development as a metaphorical 'house' whose ability and habitability requires, first and foremost, the laying of a foundation of basic needs/services for the majority who live in it, they have chosen to focus on supporting and strengthening the upper 'floors' in the (vain) belief that doing so will not only make the house look more presentable but will somehow work its way down to the foundation. This constitutes nothing less than a reverse, neo-liberal developmental logic and practical approach.

The pursuit of this kind of developmental plan not only demands that the accumulative 'needs' of those in possession of political and economic power (the first economy) be the fount of growth and prosperity 'for all', but also that the enduring socio-economic conditions of the workers/poor themselves be identified as the main impediment to such accumulation and thus to development itself (as opposed to the other way round). This is hardly a ringing endorsement for

a meaningful democracy which surely requires that the ‘empowerment’ of the ‘people’ is grounded in meeting their basic needs, so that they can participate actively in framing and building the developmental ‘house’.

Reason 2: The response to emergent grassroots struggles

Since the late 1990s, and as a direct result of the worsening socio-economic situation of a majority of South Africans, umbilically linked as this has been with the role of the state in the delivery of basic services, a collection of community organisations and social movements have arisen to address and challenge conditions of generalised poverty and the state of service delivery.

The immediate response of the ANC-controlled state to the emergence and activities of these new organisations/movements was to embark on a political propaganda campaign that sought to portray these movements and their members as ‘criminals’ and ‘anarchists’. When this seemed to have little effect on their activities and growth, the state’s repressive apparatus was brought into action as part of a co-ordinated ‘law and order’ crackdown. This culminated in physical assaults on, and arrests and imprisonment of, hundreds of community members and movement activists across the country who had mobilised against the state’s embrace of neo-liberal policies before, during and after the United Nations World Summit on Sustainable Development (WSSD) in late 2002.¹⁴ It was also during this period that South Africa’s second local government elections were held (2001). Even though the ruling ANC won these elections quite comfortably, the fact that less than 50% of registered voters participated¹⁵, was clear indication of the rising dissatisfaction amongst the majority with both the socio-economic redistribution/service delivery track record of the ruling party and the state of governance and accountability at the level of local government.

Despite the state’s heavy-handed response, new grassroots organisations and struggles have continued to emerge – alongside renewed trade union struggles against the privatisation of state enterprises and accompanying service delivery. Instead of listening to these communities and engaging the subsequent struggles constructively, the ruling party chose to accuse those who were actively critiquing and opposing its neo-liberal policies and the democratic content of its governance as being “ultra left ... waging a counter-revolutionary struggle against the ANC and our democratic government”, and of siding with the “bourgeoisie and its supporters”.¹⁶

Indeed, the government’s approach over the last several years to poor communities exercising their Constitutionally guaranteed rights to freedom of expression, has been described by the Congress of South African Trade Unions (COSATU) as “paranoid ... Instead of listening and talking to the people who are demanding basic services and legitimate rights, and addressing their concerns, the government seems to want to criminalise them. Instead of criminalising the poorest section of our population, the government must seek to understand the genuine frustration of people who live in inhumane conditions, in slum settlements, where unemployment is massive and poverty universal.”¹⁷ Such ‘paranoia’ has been confirmed by research undertaken by the Freedom of Expression Institute (FXI) in relation to the government’s application of the *Regulation of Gatherings Act* (No. 205 of 1993), an apartheid-era piece of legislation that

continues to frame issues of freedom of expression in the public realm. In a 2005 press statement, the FXI noted:

“ ... research undertaken for the FXI (points) to violations of the Regulation of Gatherings Act by the Johannesburg Metropolitan Police Department, which has all but 'banned' certain social movements from marching. In addition, numerous legal protests have been broken up by the police, including two held by the FXI itself. These incidents suggest an emerging trend spreading in South Africa where community activists critical of the current status quo are being denied their constitutional rights to freedom of expression and assembly. A related emerging trend is that police officers appear to be ignorant of the Gatherings Act or, more worryingly, abuse the Act to prevent people from protesting and marching in public”.¹⁸

Given that poor communities in South Africa have no regular or formal access to the media, that most locally elected representatives have consistently shown themselves to be more interested in either lining their own pockets or pleasing higher political powers and that government structures have all but been closed-off to meaningful negotiations, it has been public street demonstrations and community actions that have provided the main means for expression of political and socio-economic grievances. In the fullest sense then, the South African state's willingness to consciously crack-down on the only means of expression available to poor communities, and thus to circumscribe the exercising of the right to freedom of expression, has had a chilling effect on the associated/parallel rights to freedom of assembly and association.

Across our sub-continent (and elsewhere) the script has been all too familiar – manufacture an 'enemy', construct its self-fulfilling destructive character and purpose and then launch a sustained assault against it under the guise of rationality, 'law and order'/national security, the nation's political heritage/identity and the preservation of democracy - all in the name of the 'people'. Not surprisingly, such responses do nothing to address, fundamentally, the legitimate socio-economic grievances of the poor and their clearly growing disillusionment (in South Africa) in the efficacy of institutionalised representative 'democracy' and electoral participation. Rather, it has simply served to reinforce and widen South Africa's emergent political and class fault lines.

In the year leading up to the recent local government elections there were, according to the Office of the Minister of Safety and Security, (at least) two local councillors killed and the homes of many others torched in 881 'delivery' protests - an average of more than two a day.¹⁹ This represents a substantial increase, not decrease, of grassroots oppositional response to the effects of the state's neo-liberal policies and the failure of local government to act as an efficient 'deliverer' of basic services and provider of effective democratic representation of poor communities. By the national government's own admission, local government in many parts of the country is on the brink of institutional and financial collapse, thus forcing it to announce not long before the recent elections, the implementation of "drastic rescue plans", which include: Project Consolidate - to bolster the capacity of the worst-run local councils; and, the passing of legislation such as the Municipal Finance Management Act, "to force improvements in local government administration".²⁰

When a new movement of shack dwellers in Durban – *Abahlali base Mjondolo* – arose in 2005 and proceeded to embark on an active campaign to boycott the local government elections, (arguing that to participate would constitute an endorsement of the state’s eviction policies and failure to deliver on its promises of housing and land redistribution), police and security forces physically invaded the stronghold of the shack dwellers, beating and arresting scores of people, and then proceeded to ban a planned march on the Durban Metro Council. In the face of such a co-ordinated and vicious crackdown on dissent, the Chairperson of the shack dwellers wrote to the eThekweni Municipal Manager: “While we ourselves strive only to act lawfully, we wish to warn you that it will be on your hands when the patience of the masses of poor people spills over because you have illegally closed channels for popular protest guaranteed to us by the constitution”.²¹ The Freedom of Expression Institute followed with a media release that proclaimed: “the violation of basic constitutional rights in this instance is appalling and is a serious threat to our democracy and to the elections due to take place ...”.²² In the event, the shack dwellers contested the ban in the High Court and won a legal ruling allowing them to proceed with their campaign and march.

In three other poor communities (Khutsong, Moutse and Matatiele), each located in different cross-border municipalities across the country, disagreements between community residents and the state around the issue of their unilateral incorporation into new municipalities in neighbouring provinces sparked intense political and physical battles in the lead-up to the elections. In Khutsong, violent clashes between residents and police/security officials alongside the targeting of local ANC councillors by the residents, resulted in the community becoming a virtual ‘no-go’ area for the ruling party, with residents vowing to, “never allow the ANC to campaign in this area”²³. Over R20 million in damages was caused as a result of the burning of municipal offices, libraries, houses and councillors’ properties.²⁴ In Moutse, 11 members of the ruling party’s *de facto* Alliance partner, the South African Communist Party, with the backing of a sizeable portion of the community, decided to stand in the elections as independents, with a Moutse pensioner proclaiming: “We voted for the ANC and now it doesn’t even bother to inform us when it makes important decisions that directly affect our lives. I thought this was a democracy”.²⁵

Not surprisingly, the defensive and almost auto-repressive pattern of state responses to legitimate socio-economic grievances and exercises in freedom of assembly/expression, combined with a generalised approach of unilateral decision-making around key issues affecting poor communities, has had a negative impact on the institutional and political ‘faith’ of many poor people in representative politics and participation in elections. Neo Motaung, an ANC Youth League activist in Harrismith, is a classic example. “He says he won't be telling other people not to vote, but he won't encourage them to do so ‘for something that I can see is killing the people’”.²⁶

The complementary fact that millions of South Africans have registered to vote does not, in any way, then mean that the present representational mechanisms of institutional democracy are the be all and end all of the democratic aspirations of the majority of South Africans. What it does mean though is that those millions continue to look, either passively or actively, to institutional representation precisely because there are, presently, few (in depth and breadth) alternative

avenues for democratic expression. In many poor urban and rural communities in South Africa, it is through the activities of community organisations, social movements and often spontaneous ‘uprisings’ that an increasing number of people are experiencing and practicing meaningful participatory democracy. Indeed, it is no coincidence that the growing impact and popularity of daily ‘bread and butter’ issues and struggles is directly linked to the adverse effects of the state’s neo-liberal policies on the poor majority that are most acutely experienced through the ‘offices’ of the various institutional mechanisms of representative democracy.

Reason 3: Democracy by the numbers?

Since the holding of South Africa’s first democratic (national) elections in April 1994, a genuinely historic event that marked the formal end of apartheid, there has been a steady decline in the number of South Africans voting in subsequent elections. Numerous electoral analysts, political commentators and politicians have tried to present this as an inevitable and almost welcome development in the maturation of South Africa’s democracy (with reference to similar patterns in ‘developed’ countries and rising levels of satisfaction amongst the electorate with the quality of ‘governance’). However, the reality is that this decline has very little to do with the maturation of democracy and everything to do with the combined effects – on the majority of South Africans - of neo-liberal policies, the increasingly arrogant exercise of state power and the lack of any viable national political/electoral opposition representing the interests and hopes of workers and the poor, to the dominant liberation movement-cum-modern bourgeois political party – the ANC.²⁷

The continued lack of such a political/electoral alternative for the workers and poor can, to a large extent, be explained by the fact that the two organisations that have historically represented this constituency – i.e. the Congress of South African Trade Unions and the South African Communist Party – have remained in a close political and electoral alliance with the ANC since 1994. Thus, despite the activities of a range of new social movements and community organisations in opposition to the effects of the ANC-controlled government’s policies, this alliance has served to effectively block the formation of any viable political/electoral alternative to the left of the ruling ANC. As the figures show though, the majority of workers and poor (who have precious few material and organisational resources at their disposal) have, rather than continue to cast their vote for the ANC-led Alliance, simply opted out of the voting process

The 1994 elections were accompanied by an understandable euphoria amongst the vast majority of South Africans. For the first time all South Africans were able to cast their vote, so it was not surprising that the election witnessed a massive turnout – a total of 19,5 million votes were cast, a number that by all counts represented substantially more people than all those who had managed to register.²⁸ The first local government elections in 1995 saw a reduced, yet still fairly sizeable voter turnout (almost 60% of registered voters) in relation to voting numbers for local government elections globally. In the second national elections in 1999, the voting numbers from the 1994 election had declined to just over 16 million (out of an approximate 18,5 million registered voters). The following year (2000), saw about 48% of all registered voters turn out to vote in the second local government elections.²⁹ The extent of the declining voter participation

becomes more obvious when placed in the context of the finding in the 2001 census that there were 27,5 million South Africans eligible to vote.

In the third round of national elections in 2004, the trend continued: only 56 percent (15,8 million) of all eligible voters (27,5 million) cast their ballots³⁰; just under 7 million people eligible to vote, did not even bother to register; of those registered to vote (20,6 million), over 5 million chose not to exercise their vote.³¹ And while the percentage of votes cast for the ruling ANC party actually increased from previous elections (receiving almost 70% this time around), it is instructive to note that when set against the number of eligible voters, the ‘overwhelming victory’ of the ANC amounted to just 38% of the voting population.³²

As for South Africa’s recently-held, third local government elections, the situation has not improved despite the increased number of protest activities in poor communities that preceded the elections, the participation of a plethora of new political parties (mostly at the local/regional level) and the 650-plus independent candidates that ran for election across the country.³³ This goes against the oft-repeated logic that such ‘civic’ and political activity translates into increased voter participation during elections, by those engaged in such activities. Indeed, the fact that in the midst of the most intensive socio-economic and political protest activity since 1994, the number of independent candidates standing at the local government level for the 2006 elections was less than in the 2000 elections, gives clear indication that many poor/working class communities in South Africa no longer view voting in elections as their primary means of ‘civic’ expression nor of representative legitimacy.

Despite the modest increase in the number of registered voters from the 2004 elections - approximately 500,000, for a total of 21,5 million - the turnout remained at the same 48% (of all registered voters) as the previous local government elections. As a percentage of eligible voters (using the 2001 census figure of 27,5 million), the turn-out amounts to just over 38% of all eligible voters. When it comes to the ANC (which received 66,34% of all votes cast), the number of votes for the ruling party amounted to 6,9 million votes, which translates into 32,5% of all registered voters and 25,4% of all eligible voters.

Most all other political parties with a national support base lost further electoral ground to the ANC, with only the Democratic Alliance, which received 14,77% of the vote, breaking the 10% barrier. The Inkatha Freedom Party (IFP) received 8,05%, with the vast majority of its support coming from its rural KwaZulu heartland. The newly formed Independent Democrats garnered 2,02%, but like the IFP, most of its support was restricted to one region - in this case, the Western Cape. The rest of the chasing pack hardly even registered on the electoral barometer, with the United Democratic Movement receiving 1,27%, the United Christian Democratic Party 1,24%, the Pan Africanist Congress 1,17%, and the (Afrikaner-dominated) Freedom Front 0,96%. Independent candidates managed 1% of all votes cast, leaving all the other minor parties to divide-up the remaining 3,18%.³⁴

Regardless of the accumulated empirical evidence of declining citizen participation in elections and the more generalised popular alienation from institutionalised representative politics over the better part of a decade, the mainstream media alongside most analysts/commentators and politicians, have persisted in proclaiming that democracy in South Africa has never been better.

This represents more of a wishful and/or propagandistic perspective that refuses to recognise that the (pre)conditions for meaningful and popular participation in any electoral process are embedded in changing the structural relations of power (whether grounded in social, economic, political, gender or knowledge relations) for the benefit of the majority. Besides explaining the continuing (and indeed, intensifying) electoral abstentionism amongst a populace that only gained the right to vote 12 years ago, it also explains why for instance, more than 20% of non-voters interviewed in the largely impoverished King Sabata Dalindyebo Municipality (in the Eastern Cape Province) cited a lack of understanding of the electoral process as their reason for non-participation.³⁵

There certainly are other constitutive elements that have contributed to non-participation. For example, floor-crossing legislation that has “enabled party representatives to change allegiance, thus binding their voters to the policies of parties for which they did not vote”; and, the extent to which (given the ANC’s continued political dominance in most parts of the country) “those who do not support the ANC regard themselves as excluded from the democratic polity ... [and thus] express their discontent with the system, not by voting for opposition parties, but by targeting the system itself, and effectively, dropping out”.³⁶ Additionally, “because of the high levels of [socio-economic] inequality and unequal access to key public forums ... opinions are easily shutout because those holding such opinions are too poor to influence party leaders or access institutions such as the media or Parliament”.³⁷ However, the cumulative core of the problem of increasing non-participation lies in the crisis that is low-intensity neo-liberal democracy and which now characterises the South African polity. It is a crisis not only of the practice of participatory democracy but also of long-term institutional/structural democratic legitimacy.

Conclusion

In the context of South Africa’s recently held local government elections, the cumulative impact of the disabling (at least for the poor) institutional and developmental framework and practice that this paper has addressed, has been two-fold: to widen the fault-lines of poverty, inequality, accessible/affordable basic service provision and enjoyment of the full panoply of human and constitutional rights; and, to substantively diminish the entire concept and experience of citizenship and thus also, of democracy.

The developmental legacy of post-1994 South Africa is characterised by a false twinning of a democratic form to the needs of the neo-liberal ‘market’. This has resulted in a creeping intolerance – fuelled predominately by those in positions of political and economic power and policed by the coercive capacity of the state - of legitimate political/social dissent, which is the lifeblood of any genuine democracy. It has also produced a hidden, but very real, ‘crisis of democracy’ wherein institutionalised practices and forms of representative democracy such as elections – while largely welcomed by South Africans as a legitimate form of democratic expression - make little practical difference in the lives of the majority since the key societal (developmental) decisions are taken by those that participate in, and manage, that ‘market’.

Such realities make it imperative for social movements, community organisations and their allies in broader civil society to intensify their political and socio-cultural activism. They must do so as

a means not only to open-up institutional and societal spaces for more participatory forms of democratic expression that can lead to meaningful public debate on developmental alternatives, but also as a constantly fluid check, from below, against the arrogance of institutionalised political and economic power. While formal participation in elections (particularly at the local level), through the agency of political parties and/or independent candidatures, will remain a necessary avenue for South Africans to ensure institutional representation for a multiplicity of voices and interests, it does not, and cannot, represent the 'will of the people'. Democracy demands more.

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- ²¹ Letter from the Chairperson of *Abahlali base Mjondolo*, Sbu Zikode, to Dr. Mike Sutcliffe (Durban City Manager) on 20 February 2006.
- ²² Freedom of Expression Institute (2006), 'Apartheid tactics used by eThekweni Municipality' – Press Release (27 February).
- ²³ Rapule Tabane (2006), 'Reaping the Whirlwind', *Mail & Guardian* (17-23 February).
- ²⁴ Ibid..
- ²⁵ Monako Dibetle (2006), 'We Don't hate the ANC', *Mail & Guardian* (17-23 February).

²⁶ Carol Paton (2006), 'Local Elections: Battle to be Heard', *Financial Mail* (17 February) -

<http://free.financialmail.co.za/06/0217/currents/acurrent.htm>

²⁷ The continued lack of such an alternative for the workers and poor can, to a large extent, be explained by the fact that the two organisations that have historically represented this constituency – i.e. the Congress of South African Trade Union and the South African Communist Party – have remained in a close political and electoral alliance with the ANC since 1994. Thus, despite the activities of a range of new social movements and community organisations in opposition to the effects of the ANC-controlled government's policies, this political/electoral alliance has served to effectively block the formation of any such viable political/electoral alternative. As the figures show though, the majority of workers and poor (who have precious few material and organisational resources at their disposal) have, rather than continue to cast their vote for the ANC, simply opted out of the voting process.

²⁸ Election Special (2004), 'How the Election Numbers Crunched', *Sunday Times* (18th April). It should be noted that in the 1994 elections, permanent residents were allowed to vote for the first and only time since, and the official registration figures did not adequately capture many people who remained classified as 'citizens' of the former homelands and yet were allowed to vote.

²⁹ Ibid; Also - David Shapshak (2004), 'South Africa's entire voice won't be heard', *This Day* (14th April)

³⁰ Christelle Terreblanche (2004), 'Voter numbers down as 'alienation' takes hold', *Sunday Independent* (18th April)

³¹ Edwin Naidu (2004), 'Ten million South Africans give ANC a resounding victory in free and fair poll', *Sunday Independent* (18th April); Also, see Election Special (2004)

³² 'Final Results' (2004), *Sunday Independent* (18th April)

³³ Vicki Robinson and Rapule Tabane (2006) 'It's the ANC or no Vote at all', *Mail & Guardian* (3-9 March).

³⁴ Independent Electoral Commission (2006). All the main figures are taken from data compiled by the IEC for the 2006 Local Government Elections. See the IEC's elections website at – <http://www.elections.org.za>

³⁵ Xolani Xundu, Paddy Harper, Brendan Boyle and Moipone Malefane (2006), 'Voters desert ANC over delivery: Ruling party's majority likely to be reduced in six major urban areas', *Sunday Times* (19 February).

³⁶ Centre for Policy Studies (2004), Editorial Comment in *Election Synopsis*, Vol. 1, No.1. – <http://www.cps.org.za>

³⁷ William Mervin Gumede (2005), 'Democracy and the importance of criticism, dissent and public dialogue' - The Wolpe Lecture given at the University of KwaZulu Natal - Centre for Civil Society (28 April). The full text of the speech can be found at - <http://www.ukzn.ac.za/ccs>