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Coalitions in South African politics – lessons from abroad and how can we make them work?

Coalition politics is increasingly a fact of life in South Africa. While South Africa and each of our nine provinces are governed outright by a single party this is no longer the case in many of our municipalities, a large number of our towns and cities are governed by multi-party governments. In 2016, only in 26 of over 200 municipalities did one party not win enough votes to govern alone. In 2021, this had more than doubled. In that election the number of hung councils (where no party won more than 50% of the vote) had grown to 66. More and more South Africans live in municipalities and towns governed in coalition between two or more parties.

But coalitions are a feature, rather than a bug, of our political system, and the country needs to get ready for coalition government at national and provincial level too, not just at municipal level.

This short document will give an overview of why coalitions are likely to become more common in South Africa and also provide some proposals to stabilise them.

Why are coalitions a feature of the South African political system?

During the negotiations that saw the end of apartheid there were some discussions over which electoral system to use. The ANC was initially sympathetic to the ‘first-past-the-post’ or Westminster system, which was the system used to elect the whites-only Parliament and is still a common system in much of the English-speaking world. However, a proportional representation (PR) system was settled on as South Africa’s first post-apartheid electoral system, which would see a multiplicity of voices included in parliament. The Westminster system, where MPs are elected from geographical constituencies would have resulted in far fewer parties represented in the National Assembly, with the ANC likely dominating the chamber to an even greater degree than it has in South Africa’s post-apartheid history.

The Westminster system, while generally ensuring stable governments, can also often lead to distorted results and result in the exclusion of parties with relatively high levels of support. If South Africa still used the Westminster system it is likely that the ANC would have between 70% and 80% of Parliamentary seats, with the DA and the IFP the only opposition (modelling done after the 2019 election showed that if South Africa had used a Westminster system in that poll the ANC would have probably won about 80% of our Parliamentary seats on 57% of the vote).

Another famous (or perhaps infamous) example is from this country when the National Party won more seats in the fateful 1948 election than Jan Smuts’s United Party, despite winning 12 percentage points fewer than the United Party. Or consider the last election in the United Kingdom, there the Conservative Party won 56% of the seats in Parliament, despite winning only 43% of the vote.

The drafters of the Constitution thus saw some sort of PR system as being optimal, with a PR system being constitutionally mandated. Section 46 of the Constitution states that any electoral system in South Africa must be 'broadly proportional'.

The type of PR system that South Africa uses is known as the closed-list proportional representation system. In this system parties are awarded seats in the National Assembly which very closely mirror their overall proportion of the vote. Voters have no control over who represents them in Parliament with parties providing lists of potential representatives, with voters casting a ballot for a party, rather than an individual.

This type of electoral system means that coalitions are likely, and that is what we have seen playing out in many municipalities and may soon be the case at a national level and a number of our provinces.

Coalitions have, unfortunately, become a by-word for chaos for many people, giving the ructions in places like Johannesburg. Below are a number of proposals to stabilise coalitions in South Africa.

Thresholds

The advantages of the PR system that South Africa uses is that many different interests in society are represented. This is even more so for South Africa because there is no threshold to enter Parliament or any of the other legislative bodies that exist at municipal and provincial level.

This is unlike many other countries which use a PR system. In these systems a party generally needs to secure some minimum level of support to enter the relevant legislative body. This can either be an overall minimum level of support, or in some MMP systems a party needs to win a minimum number of constituency seats.

For example, in Germany a party needs to win at least 5% of the vote to be able to get into Parliament or win three directly elected constituency seats. In Israel the threshold is 3.25%. In South Africa there is an implicit threshold, rather than an explicit one, which depending on the electoral formula used to allocate seats, is currently about 0.2% of the vote (i.e. a party can gain at least one seat in Parliament by winning about 0.2% of the vote).

This implicit threshold is also the case for many of our municipalities, where on larger councils, such as in Johannesburg and eThekweni, parties can secure a seat on the council, with a fraction of a percent of the vote.

There are arguments both for and against thresholds.

Thresholds can reduce the number of parties represented in a legislative body, making the formation of coalitions easier. Large numbers of parties in coalitions can have a serious impact on the stability of governance, which in effect has serious impacts on ordinary people.

In addition, having no threshold allows smaller parties to have an influence over the political process out of sync with their overall level of support among voters.

But thresholds can also often lead to distorted outcomes. For example, in an election in Ukraine in 2006 where there was a threshold of 3%, over one fifth of votes were cast for parties that did not meet the threshold, meaning that these voters were effectively disenfranchised. Thresholds can also be abused, if they are set very high. For example, the electoral threshold in Türkiye was, until recently, 10%, mainly to keep out parties that were supported by the Kurdish minority.

But voters are often 'disenfranchised' in democratic elections if the party they vote for does not win representation in Parliament, but this is a hazard of electoral politics. Not every political party and view can be represented in a legislative body. A balance must be met between getting a multiplicity of voices heard while ensuring that post-election governance can be stable.

This can be done through implementing a relatively low threshold. A threshold of one percent in South Africa would likely meet these requirements.

A threshold of one percent in the last national election would have seen only five parties represented in Parliament, instead of the 14 which are currently represented. However, those five parties accounted for nearly 95% of the vote, meaning that the parties which the majority of South Africans voted for secured representation.

There may be slight distortions with the introduction of an electoral threshold, i.e. parties may get more seats than they are entitled to from their share of the overall votes. However, no electoral system will ever result in perfect proportionality and there will always be some level of distortion.

Any threshold which is implemented must be set as low as possible while helping to ensure there is some stability following an election. A threshold of one percent in South African elections meets this but it is a policy that will need to secure strong consensus.

In addition, it will need to be determined what 'proportional' means. The Constitution lays down only one qualifier for the type of electoral system which South Africa uses – that it must result 'in general, in proportional representation'. Thresholds could lead to some slight distortions but no electoral system can ever be exactly proportional. Policymakers may need to define what is meant by proportional and determine what is an acceptable deviation.

Time for government formation

South Africa allows a very short time for the formation of a government following an election. Constitutionally, a government must be formed within fourteen days after the election results are declared. This is a very short time for the various agreements and necessary compromises that are inherent in any coalition to be ironed out. In other countries the time allowed for government formation is much longer and can allow coalition agreements agreeable to all parties to be drawn up.

After the last election in Belgium, it took nearly 500 days before a new government was formed, because of the length of time it took to form a viable coalition. This is, of course, extreme, but it may be desirable to allow parties more, rather than less, time when it comes to forming governments.

For example, the current coalition government in Germany came to a formal agreement just under two months after the election was held.

While the length of time taken by the Belgian government is not desirable and could also contribute to instability in governance, the time South African legislative bodies have to form a government is simply too short. While some form of time limit is probably desirable, to ensure that a government is formed after a relatively short interval after an election, it should be longer than the fourteen days which South Africa currently has.

Two months (or sixty days) is a more satisfactory length of time to allow for the formation of a government. Consideration should be given to extending the period which exists in South African for the establishment of a government after an election.

Publicly available coalition agreements

Coalition agreements must be made available to the public. It should be a legal requirement for coalition agreements to be made freely available on a government website, such as gov.za. In addition, the agreement should also be published on the site of the relevant legislative body – for example, a coalition which governs Johannesburg should make that agreement available on the municipality's website.

This would also determine what each party is expecting from the coalition and what compromises have been made with regard to each party's policies.

Such a requirement would be a useful tool in explaining to the public decisions made by the coalition which the public may find puzzling. For example, in Johannesburg, Ekurhuleni, and Nelson Mandela Bay the ANC, EFF, along with other parties, have elected people from very small parties to hold important positions, such as mayor or speaker. A coalition agreement which is available to the public would allow residents and citizens to see the rationale behind such decisions.

This would also allow the public to hold these coalitions to account, if they broke these coalition agreements.

Ombudsman

An Office of a Coalition Ombudsman should be set up to deal with disagreements within coalitions. This should be a person trained in arbitration and negotiation who can help political parties deal with disagreements within the coalition before heading to court or airing grievances in the media.

Binding agreements

Coalition agreements need to be legally binding. This would go some way to ensuring that governments are more stable. These agreements do not have to be binding for the full legislative term, which in South Africa is more-or-less five years. Rather they can be binding for a period of six months, a year, or 30 months (two-and-a-half years), or any other agreed-upon length of time. In that period coalition partners will not be able to bring forward motions of no confidence (MONCs) in the government or vote against the government they are part of, especially for important matters, such as budgets.

At the same time, there must be some sort of 'ejector seat' for parties where relations between coalition partners break down irretrievably. For example, if serious, substantiated allegations of wrongdoing are brought forward against an executive member of the coalition government, such as the mayor, coalition partners should be allowed to take appropriate action, through bringing forward an MONC or leaving the coalition government.

In addition, as part of any coalition agreement parties should consider determining the parameters which would allow a coalition agreement to be broken at the outset of the coalition.

These kinds of disputes, where the 'ejector seat' is needed, is one where the ombudsman would play an important role.

Conclusion

It is important that mechanisms are devised to stabilise coalitions. Unstable coalitions which lead to a merry-go-round of, for example, mayors, hampers development and service delivery, and only results in chaos. Those who suffer are, in the end, ordinary South Africans.

Political parties need to determine how they can work together for the benefit of South Africans, rather than vested interests, which includes political parties.

Coalitions will only become more common in South Africa and the day is not far off when the country will be governed at a national level through a coalition.

The above proposals will go some way to ensuring that coalition governance is stabilised and that governance is for the benefit of all South Africans.