
SOUTH AFRICA'S ELECTIONS: ESTABLISHING DEMOCRACY AT THE GRASSROOTS

— MICHAEL STODDARD —

In a critical step forward for democracy and stability, South Africa elected nearly 850 local government councils across the country between November 1995-June 1996. The headlines from South Africa and the major reforms under way there suggest a daunting story of conflicts and setbacks. But, the local elections tell another story—one that receives less notice. It is a story about how the new South Africa is quietly, steadily overturning the status quo of apartheid and replacing it with the structures and policies of a modern democracy. It is the story of South Africa's approach to achieving radical change by moving slowly and cautiously, by negotiating instead of fighting, by phasing in changes over a period of years, by devising a system of checks and balances, by ensuring the rights of voting minorities, by encouraging diversity and by seeking input from all quarters.

Historical Background

As is now well known, Nelson Mandela's African National Congress (ANC) won the 1994 elections with an overwhelming 62 percent of the vote. The ANC consequently won a proportionate number of seats in parliament and ministerial posts in the executive branch. The party elected Mandela as president of the Republic and installed Thabo Mbeki as the first deputy president. The second highest vote winner, the former ruling National Party (NP), received approximately 20 percent of the vote. Under the terms of the interim government arrangement called the Government of National Unity, the NP was also assured a 20 percent share of the ministerial posts and the position of second deputy president for its leader, F.W. De Klerk.¹ Mangosuthu Buthelezi's Inkatha Freedom Party (IFP) also earned positions in the executive

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with its 10 percent of the vote, and four smaller parties won seats in parliament. Similar coalition governments were established in the nine provinces, although the ANC did not win control in the IFP-dominated KwaZulu/Natal province or the ethnically European and *coloured* Western Cape province.

The 1994 elections represented one of the first major steps in South Africa's multifaceted transition from apartheid to a peaceful and orderly democracy. The transition—which comprises democratic elections for interim governments at the national, provincial and local levels; the adoption of a new constitution; and human rights violations hearings run by the Truth and Reconciliation Commission—will culminate with the election of a new government in 1999.

Each component of the transition operates under the terms of an interim constitution that outlines the country's form of government and prescribes the various procedures by which governments must be elected and operate. The interim document also enumerates the rules by which a new constitution must be adopted by the new national Parliament acting in its capacity as the Constitutional Assembly and certified by the Constitutional Court.

While the transition's complex and delicate changes are being introduced, the government simultaneously labors to address immense challenges that often threaten to disrupt South Africa's peaceful, democratic progress. Some of the most publicized challenges include the violence between warlords and partisans in KwaZulu/Natal, the ubiquitous street crime in Johannesburg, the struggle by millions of South Africans to shelter and feed themselves, and the drama, as seen in the halls of the Truth and Reconciliation Commission, of coming to terms with the injustices of the past.

The government is also coming to terms with the myriad and mundane difficulties of achieving major reforms in such a divided and devastated socioeconomic setting. Unemployment among blacks is chronic, and the systematic apartheid effort to minimize education for blacks has created an underskilled workforce. The effect is exacerbated by the emigration of many whites who take with them their capital and professional skills. The country's communication, transportation and energy infrastructures need major investment and suffer from the effects of decades of inefficient state control. The arrangements that existed between the apartheid government and the pseudo-autonomous "homelands" resulted in a legacy of gross fiscal irresponsibility and bloated, redundant bureaucracies—not to mention contradictory sets of applicable laws. The new government inherited massive debt from its predecessor. The formal military needs to be reduced in size, while some provision must be made to compensate and reintegrate the informal forces that fought the struggle for liberation. There is an extraordinary disparity among the races in terms of wealth, access to productive resources and education. About 12 million South Africans have no reasonable access to water; 21 million have no access to sanitation; "for black people there is only one phone line for every 100 people" compared to 60 lines per 100 whites.² Land redistribution, a top priority of the new government, presents the headache of balancing guaranteed property rights against the desire to make reparations for the forced removals of apartheid and earlier governments.

Although the 1994 elections established a working government to address these and other issues at the national and provincial levels, a void remained at the local level. Initially, governance in the municipalities limped along without the legitimacy or authority derived from democratic elections. Temporary councils, comprising estimated proportional representation from the local parties, were appointed to make decisions and oversee municipal operations. Their tenure extended beyond initial expectations, as local government elections were planned first for October 1994, then pushed back until October 1995, and eventually held November 1, 1995.³ These delays contributed to a growing level of uncertainty and frustration regarding local government.

The government's chief architects have placed heavy reliance on local governments to help rebuild the political, social and economic fabric of post-apartheid South Africa. To fulfill this goal, local governments in the new South Africa have been given significant legislative and executive powers. The interim constitution indicates that delivery of most government services is supposed to be devolved to the local level, bypassing the provinces and taking the burden off of the already overextended central government. Thus, considerable authority for allocating the funds of the Reconstruction and Development Program (RDP), the backbone of the ANC's promise to deliver improved infrastructure and services to previously disenfranchised communities, has been assigned to local governments. South Africa's local governments also have the authority to "levy and recover such property rates, levies, fees, taxes and tariffs as may be necessary."⁴ Finally, local governments are expected to provide the link between national leaders and people at the grassroots level. The political parties want local councils to conduct the bulk of "constituency service"—listening to the needs and aspirations of local residents and explaining government policies.

It is understandable, then, that the temporary councilors were reluctant to act on these responsibilities without the electoral mandate of local residents. One can also appreciate that South Africans were eager to put elected representatives in place so that the hard work of bringing democracy to the grassroots could begin in earnest.

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Local Government: Establishing Democracy at the Grassroots

South Africa's local elections formally completed the installation of non-racial, popularly elected government at every level of public administration. Frank Mdlalose, premier of the embattled KwaZulu/Natal province, observed,

"The international community should realize that we are fully into democracy and it is getting down to the grassroots."⁵

In representative democracy, information exchange and accountability is most pronounced at the grassroots level. The election of governments in each local community across South Africa has meant that the policies and programs of municipal government must now reflect the will of all residents within the constituency, regardless of their race or ethnicity. For example, the 1996-1997 budget for the local council representing the western suburbs of Johannesburg has given the impoverished township of Soweto a 65 percent increase

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from its previous budget,⁶ adding 68 million rand (more than \$15 million) alone to help bring running water to homes.⁷ According to the council's executive committee chairman Prema Naidoo, the shift in resource allocation is an effort to begin remedying apartheid's "legacy of abject poverty, landlessness, collapsed infrastructure and lack of services in the townships on the one hand, and lavish wealth in the white suburbs on the other hand."⁸

The arrival of popularly elected local authorities also means that the effects of government—including the delivery of electricity, sanitation and water services and the resolution of community problems—are now fully extended to where they are most tangible. The ANC places heavy reliance on local government to implement programs such as the RDP that they hope will help right the wrongs of the past and address the needs of the present. President Mandela's speech to voters in the KwaZulu/Natal province illustrates the role expected of local government: "[S]trong democratic local government will give communities the power to make reconstruction and development happen where you live. [It] can move your province forward to peace and prosperity."⁹

These expectations have been consistently reiterated by politicians, partly to deflect criticism of the central and provincial governments' delivery of services and partly to express a genuine belief that certain aspects of government are best delegated to the local level.¹⁰ The message has been reinforced in campaign posters, voter education materials and innumerable radio and television talk shows.

The establishment of democratically elected local councils also means that for the first time all of South Africa's citizens will have a venue in which they can make their voice heard on community issues. Strong traditions of speaking at community meetings, demonstrating at marches and rallies, or addressing local leaders directly, suggest that previously disenfranchised South Africans will gain a newfound sense of empowerment in the decisions that affect their lives. An elderly rural woman voting in local government elections for the first time in her life said, "We're voting for houses and street-

cleaning and roads. We want someone to tell our problems to."¹¹ On the receiving end, elected representatives will be obliged to listen to the voters views and to explain the government's policies. "The new councils will have to stand up and face the community and be responsive to the people," said Premier Mdlalose.¹²

Enhanced access to and responsiveness of local government comes with a price, however, which is integral to the political and economic viability of the new South Africa. For decades, disenfranchised South Africans quietly voiced their protest against the apartheid government by refusing to pay local property taxes or rates for community-provided services. If services were discontinued, they made the community ungovernable through more pronounced forms of protest. The financial burden of covering the lost revenues was viewed by the government and the privileged whites as the cost of doing business under apartheid. Once apartheid ended, however, the new government realized that responsible fiscal policies required responsible citizen behavior. The resulting public relations initiative, called *Masakhane* (let us build together) urges communities to contribute to government effectiveness and, specifically, to ensure that each resident pays a fair share of rates and taxes. Although *Masakhane* has had limited success, President Mandela and other leaders are hopeful that democratically elected local councils will better serve local communities and will, in turn, elicit a sense of obligation among residents:

With freedom comes responsibility, the responsibility of participation. Each brick that is used to build a wall, every drop of water from a tap, is the result of many people's hard work and uses our country's resources. (The) government is putting massive investment into programmes for housing and services. We all have the responsibility to pay for what we use, or else the investment will dry up and the projects come to an end.¹³

Again using the township of Soweto as an example, the 1996-1997 local council budget has increased service rates by as much as 60 percent, and extends these charges and property taxes to tens of thousands of households for the first time in history.¹⁴ Time will tell whether public relations campaigns and newly levied rates will have the desired effect. Nonetheless, the successful arrival of local government in South Africa is evidence that the negotiated steps of the transition to an accountable, responsive, multiracial democracy are moving forward.

Local Elections: Promising Signs for Peaceful Progress

The implementation process of the local elections offers valuable insight into the elections' significance. True to the value of self-determination, the elections were administered by representatives of all races from within every local community. Unlike the 1994 experience, assistance from the international community was minimal and behind the scenes. Whereas the 1994 elections

were run centrally by the Independent Election Commission, statutory authority for running the local elections was placed in local hands. The power and duty to register voters, print ballots, designate polling sites and administer nearly every aspect of the voting and counting resided with local officials.

In terms of administrative quality, numerous problems and imperfections emerged in the local elections. However, the manner in which these problems were overcome tells much about South Africa's capacity to succeed. For example, criticism was universal regarding the poorly-advertised and sloppily-executed registration process. The registration period was reopened at least twice across the country before totals reached an acceptable level. And even though the registration process may have been responsible for disenfranchising tens of thousands of eligible voters, the good faith efforts of election officials won the trust of the people and assured a legitimate, accepted process. How was this achieved?

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First, the election law itself was the product of multiparty negotiations. It was not unilaterally developed by a self-serving incumbent party, as is often the case in transition settings, nor did it indiscriminately replace everything old with something new. Second, incidents of partisan bias and intentional misconduct were few and at worst immaterial. Third, every stage of the process was open to scrutiny by all competing parties, and any properly lodged objection received an impartial review. Fourth, extensive and relatively balanced media coverage was combined with a large, if somewhat haphazard,

voter education campaign to ensure that voters were adequately aware of their electoral options. Finally, election-day activities across the country, even in the most turbulent areas of KwaZulu/Natal, were free from violence.

The courts' capacity to provide a speedy, professional and impartial review of politically charged electoral disputes offers further evidence of South Africa's democratic progress. It is significant that similar disputes in other democracies in transition would likely be afforded no review or, alternatively, would have been handled by an election commission or a government ministry. In the case of an election commission, rulings are often made on only the most cursory review and are often not firmly grounded in legal principles. In the case of a government ministry, experience shows that election-related rulings often betray a bias for the government of the day. In the delicate setting of South Africa's transition, by comparison, no expense was spared to provide credible legal processes for the resolution of electoral disputes. The Constitutional Court's invalidation of President Mandela's most significant and controversial election-related proclamations is a case in point.

The controversy originated from a partisan power play made by Peter Marais, the National Party premier of the Western Cape province. Marais was

determined to keep a massive, poor township separate from a middle-class white neighborhood in an area outside Cape Town. However, he could not get the necessary votes from the multiparty advisory committee to approve his preferred demarcation of voting wards and districts. Instead of referring the matter to arbitration as required in deadlock situations, Marais replaced two of his opponents on the committee—one of whom he fired and the other who resigned—with two of his own loyalists. Marais thus secured a favorable majority on the advisory committee and won approval for his demarcation of boundaries in the province.

Criticizing these maneuvers as undemocratic and violating the spirit of the law by which local councils are elected, the ANC convinced President Mandela to employ the special powers granted to him by parliament. Mandela's Proclamations R58 and R59 nullified Marais' appointments to the advisory committee and appropriated the power to the national government to appoint two replacement committee members. The Western Cape government challenged the constitutionality of Mandela's proclamations, as well as his authority to make proclamations regarding local elections and provincial affairs. Consequently, the court invalidated Mandela's proclamations, largely on the grounds that the act of Parliament by which he had received such powers was impermissibly vague.¹⁵ Ultimately, the case was arbitrated by the Special Electoral Court and the elections were held, several months delayed, without incident.

The handling of the Cape Town metropolitan area boundary case is significant for a variety of reasons. First, once the dispute was identified, all parties agreed to work through established procedures and to abide by the results. Second, the highest court in the land—a multiracial, independent body appointed by President Mandela—overruled his proclamations and elaborated on the limits of authority for both the legislative and executive branches. The court's review of the law, and the subsequent interpretations by the Special Electoral Court, provide ample evidence that the new South Africa has established a credible judicial system and is committed to the rule of law, especially when matters of partisan politics are at stake.

A second indication of the judicial system's credibility emerged when dozens of nominations, mostly from the ANC, were rejected by local election officials. According to the relevant law, any person wishing to be eligible for nomination must not have any outstanding service charges or taxes owed to the municipality. Some prominent local figures were both embarrassed and frustrated when they were rejected as nominees on these grounds, and many of them appealed the decisions to the local magisterial courts. They argued that the law unfairly disadvantaged poor blacks and, furthermore, was irrelevant as a policy criteria for candidacy. They pressured election officials and politicians to change the law or find a more lenient interpretation. To their credit, the officials and politicians abstained from intervening and allowed the judicial process to run its course. Local judges hearing pleas from Mandela's party must have implicitly felt pressure to overturn the rejections. Moreover, in the first opportunity for democratic empowerment, few would wish

to exclude otherwise eligible participants on the grounds of a technicality. Nevertheless, all cases were impartially and consistently assessed as to the application of the law and adherence to standards of due process. The vast majority of decisions (rejections) were upheld, and by the time of the election charges of foul play were long forgotten.

Forging Peace: Negotiation and Nonviolence

The local election process was also notable for its reliance on nonviolent techniques such as negotiation, conciliation and cooperation. Government authorities, civic groups, political parties and traditional (tribal) leaders worked together to forge peaceful solutions to a variety of crises surrounding the elections. This experience compares favorably to the days of old, when the government handled most conflicts with unilateral and heavy-handed force, the main partisan protagonists (the ANC and IFP) fought fire with fire, and civic groups were powerless to stop the violence.

The most dramatic example of forging peaceful solutions surrounded the preparations for the local elections in the province of KwaZulu/Natal, a province rich in resources and famous for its history of violence. KwaZulu/Natal is home to more than 3.5 million of the country's registered voters, and is also the historical birthplace of the Zulu Nation, forged by the great warrior Shaka. Tribal conflict and warring with Boer pioneers and British colonial forces forged an enduring legacy of antagonism for KwaZulu/Natal. During the past decade, tens of thousands of civilians have been killed in the family feuds and turf battles that divide neighbors. The conflict, often referred to as a civil war, has been greatly complicated by the political struggle that continues between Buthelezi's predominantly Zulu IFP and the ANC.

As to policy differences, the IFP insists that the emerging constitutional scheme ensure a degree of provincial autonomy, in large part so the party can keep its grip on the reins of power in the one province where it holds a majority. The party also emphasizes free market principles and the need to include traditional leaders at the forefront of local community government, particularly in rural areas where the IFP is strongest. This benefits the IFP politically since most of the Zulu *amakhosi* (chiefs) are IFP partisans. The ANC, both at the provincial and national level, has rejected the IFP's vision of provincial powers. Some ANC leaders feel that popularly elected representatives should eventually replace all but the ceremonial functions of the hereditary *amakhosi*. More salient, perhaps, is the betrayal felt by ANC loyalists regarding the IFP's conduct during the waning years of apartheid. According to the evidence illuminated by court cases and reported in news exposés, the apartheid government trained IFP paramilitary groups to disrupt the anti-apartheid movement. The resulting brutality, plus the appearance of treachery by many chiefs and IFP leaders, has left a bitter legacy of recrimination and distrust. Patronage systems, retribution, pride and tradition are at stake and have combined to create a volatile, violent environment.

It is not surprising that the arrival of closely contested elections—elections that determined who would have control of service delivery, the power to tax

and influence on law enforcement—raised the level of tension in the province. Indeed, nearly 200 people were killed in the province in the three months prior to the election, and as many as 14 candidates lost their lives during the campaign.¹⁶ However, improvements over the past were manifest. Three hundred fewer killings occurred in the three months before the local elections than during the same period before the 1994 elections.¹⁷ On election day itself, there were no reports of election-related killings. The headlines in a major national newspaper described it as “The Storm That Never Arrived.”¹⁸

The relative calm of the campaign period and election day in the province was the result of proactive cooperative initiatives by all sectors of society and government. The central component of the initiatives was a truce brokered between the IFP and ANC partisans at the provincial level. As a demonstration of their commitment to the truce’s message of tolerance and nonviolence, some IFP and ANC candidates traveled together through their constituencies. They visited each other’s respective strongholds, including the most dangerous “no-go” areas¹⁹ where they each presented campaign speeches, reiterated their desire for finding peaceful solutions and helped post their opponents’ posters. Moral authority for the truce was added by well-publicized speeches from national figures such as President Mandela, IFP leader Buthelezi and Zulu King Goodwill Zwelithini.²⁰ Bipartisan delegations visited local chiefs to secure cooperation and enforcement of the truce through the offices of traditional authorities, and church leaders from every denomination were enlisted to spread the word during services. Other civic organizations contributed as well, most notably by monitoring the truce and offering to serve as “honest brokers” in the event that altercations required mediation. Finally, central and provincial government added a safety net by deploying 32,000 security forces to the region and accelerating police investigations into politically related crimes.

The successful result highlighted the political motivations underlying much of the province’s previous violence. As one prominent editorial observed, “The widespread peace on election . . . day shows that much of the (province’s) violence is organized. The leaders can end it just as quickly as they can start it, and this must intensify the pressure for them to negotiate a final cease-fire and erase the climate of fear.”²¹ The approach for handling election crises in KwaZulu/Natal was a major accomplishment of the process. Many South Africans feel that it gave new optimism to the prospects for the future of the province and the nation. Roelof Meyer, the secretary general of the NP, observed:

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Everyone expected an explosion of violence around the elections, but it never came. In the long run, this process contributed to the political stability of the country. Also, it shows that we are capable now of finding civilian solutions when we used to rely only on military solutions, and that we are devolving power to the local levels where we used to decide everything centrally. The process of peaceful reform in South Africa was carried forward.²²

Local Democracy and Challenges Ahead

Notwithstanding the successful holding of local elections and the establishment of legitimate, multiracial local authorities, challenges to peace and prosperity in South Africa remain. The local election process of 1995-1996 highlighted several of these challenges, such as containing the violence in KwaZulu/Natal, building the capacity of new elected officials and refining the role of traditional leaders.

For example, the level of violence in KwaZulu/Natal is rising again.²³ The 32,000 security forces have been redeployed out of the province, and much of the monitoring and mediation by civic organizations that surrounded the election has been disbanded. The continued tendency for politics to divide along racial lines rather than policy issues is another well-publicized concern.²⁴ Additionally, although the elections were adequately administered by a multiracial cadre of local civil servants, there are questions about how competently the new councilors will run the affairs of local government. Many of them have no relevant job experience. In some areas, the long-serving white town clerks (city managers) are abandoning their posts and leaving the newcomers to their own devices. With all that is expected of local government, it is reasonable to assume that the first few years of multiracial governance will have its share of missteps and failures.

Another question concerning the future role of traditional leaders and how they will influence community governance continues to cause tension. The interim constitution prescribes that "local government shall be elected democratically,"²⁵ but it also provides that traditional leaders whose positions are inherited, not elected, shall have *ex officio* representation on the local councils.²⁶ What is unclear, and has been the source of debate, is how to implement the *ex officio* provision. The IFP-dominated government of KwaZulu/Natal decided that each of the province's 316 chiefs (predominantly IFP loyalists) were guaranteed an *ex officio* seat on the council corresponding to each chief's geographic domain. The only limitation in this system is that *ex officio* seats may not comprise more than 20 percent of any given council. IFP leaders, such as premier Mdlalose, made clear the view that traditional leaders have historically governed all aspects of community affairs and that there is value to be gained by their continued involvement in modern government. He said:

The future of South Africa lies in tolerance and in knowing that there is a past that cannot be washed away. Traditional leaders

have governed society here for centuries. Now they will have to be married with the elected leaders. To think that "traditional democracy" is uncivilized as compared to "Western democracy" is the height of naiveté.²⁷

On the other hand, ANC partisans and others argue that the interim constitution merely guarantees a representative of traditional authorities on the local councils. This interpretation, adopted in several of the country's other provinces, would assure a continuation of traditional leaders' roles in upholding ethnic customs and serving as a liaison to the democratically elected councils.²⁸ They see the urgency of many chiefs who want guaranteed positions on local councils as an attempt to stem a loss of power and a diminution of traditional customs.²⁹ The model preferred by the ANC is more in keeping with its long-held objectives of forging a single nation (as opposed to a confederation of ethnic or race-based communities) that values the supremacy of the constitution, the universal right to vote for any legislative body, and a "system . . . of democratic government to ensure accountability, responsiveness and openness."³⁰ Finally, the ANC alternative avoids an unwieldy result in regions with the highest concentration of traditional leaders, where the 20 percent rule would mandate councils as large as 300 members.

Ultimately, the question could not be settled among the parties in the province, so the ANC petitioned the Constitutional Court to interpret the form of representation for traditional authorities. Regardless of the court's ruling, the issue is unlikely to be fully resolved any time soon. The motivation for the *amakhosi* to fight for their power base and the general reluctance of many rural residents to adopt new allegiances are potent forces.

With all that is expected of government, it is reasonable to assume that the first few years of multiracial governance will have its share of missteps and failures.

Conclusion

The view of the Minister for Provincial Affairs and Constitutional Development Mohammed Valli Moosa, whose ministry was responsible for the local government elections, best summarizes how significant these elections were for the new nation:

One of our most important achievements in the past year is the stabilization of the political environment in South Africa. Today we have a stable, multiparty democratic political order. All significant ethnic and political groups are represented in government and

are participating voluntarily. This political stability is the prerequisite to everything else we want to achieve in our new democracy.³¹

These elections demonstrated South Africa's commitment to peaceful, orderly democratic processes. The local elections were the product of an approach to governance that bodes well for the long-term stability of South Africa. More specifically, the elections cemented a far healthier relationship between the citizenry and all levels of government than has previously existed. This should result in lower levels of violence and civil disobedience, better policies and more progress in the country's effort to redress the injustices of apartheid. The new local councils should also play an important role in the improving the country's economy. Arguably, payment of rates and taxes should increase among the majority of South Africans, as there is no longer a political excuse for nonpayment. Also, investment in infrastructure, which in the RDP's case has awaited the arrival of elected local councils, can now move forward. This, along with the more peaceful and stable political environment that has emerged, should result in a more efficient and productive economy and a far more attractive market for foreign investment.

During the eight months that ended in June 1996, elections in every locality of South Africa were organized and implemented under peaceful conditions and were accepted as a credible, legitimate process by voters, competitors and the media. The elections brought democracy to the grassroots, guaranteeing every citizen a voice in community matters and linking the power of this voice with the duties of responsible citizenship. The establishment of multiracial, democratically elected local authorities was an important step forward in the transition from apartheid to a modern, egalitarian democracy.

Notes

1. The government elected in 1999 will put the party (or coalition) with the most votes in full control of the government, as is the practice in all parliamentary systems. This will differ somewhat from the interim arrangement, called the Government of National Unity (GNU), which was ushered in by the historic election of 1994. (See also, Gonzalez, Lisa, "The Importance of Political Parties in South Africa," *The Fletcher Forum of World Affairs* 20 (1996): 147.) According to the interim constitution, the GNU must share executive branch powers among the competing political parties and make policy decisions "in a manner which gives consideration to the consensus-seeking spirit underlying the concept of a government of national unity...." (*Constitution of the Republic of South Africa*, 1993, Article 89(2)). See also, Articles 84 and 88, providing for the sharing of powers through the offices of the executive deputy presidents and the ministers of the cabinet, respectively). The intent of the negotiators in this provision was to encourage the participation and support of diverse minority constituencies in the transition and to ensure that the majority party could not run roughshod over minority interests.

The GNU approach is intended to operate until the 1999 elections. However, the dynamics of the cabinet changed considerably following the Constitutional Assembly's May 8, 1996 passage of the new constitution, when the NP announced it was leaving the GNU at national and provincial levels in order to play a more convention-

al and forceful role as the "loyal opposition." As of this writing the IFP remains a participant in the executive branch of government.

2. *White Paper for the Reconstruction and Development Program*, gopher://gopher.polity.org.za: 70/00/govdocs/white_papers/white.rdp.
3. Elections in the Cape Town Metro area were postponed until May 29, 1996 as the result of a prolonged legal challenge to a controversial constituency demarcation, and elections for the entire province of KwaZulu/Natal were finally held on June 26, 1996 after accommodating the resolution of various boundary disputes and a last-minute revision of the registration rolls.
4. *Constitution of the Republic of South Africa*, 1993, s. 178(2).
5. Frank Mdlalose, interview with author, KwaZulu/Natal, 26 June 1996.
6. *The Star* (Johannesburg), 26 June 1996, 1.
7. *Ibid.*, 2.
8. *Ibid.*, 1.
9. Nelson Mandela, speech, Durban, 6 July 1996, gopher://gopher.anc.org.za: 70/00/govdocs/speeches/1996/sp0706.01.
10. "Because the RDP depends on democracy and social stability in local communities, the management of institutional change and the delivery of municipal services must occur simultaneously." *White Paper for the Reconstruction and Development Program*, gopher://gopher.polity.org.za:70/00/govdocs/ white_papers/white.rdp.
11. *Weekly Mail and Guardian* (Johannesburg), 28 June - 4 July 1996, 9; quoting Ms. Miriam Zondo, KwaZulu/Natal voter.
12. Mdlalose.
13. Nelson Mandela, speech at the launch of the Masakhane Campaign, Marconi Beam, Koeberg, February 25, 1995, gopher://gopher.anc.org.za: 70/00/govdocs/speeches/1995/sp0225.01.
14. *The Star*, (Johannesburg), June 26, 1996, 1.
15. See generally *Executive Council, Western Cape Legislature and others v President of the Republic of South Africa and others*, CCT 27/95 (22 September 1995); 1995(4) SA 877 (CC); <http://pc72.law.wits.ac.za/lawreps.htm#wcape.htm>.
16. *Weekly Mail and Guardian*, (Johannesburg), 28 June - 4 July 1996, 8.
17. *Ibid.*
18. *Ibid.*, 9.
19. A "no-go" area is a colloquial term for a neighborhood or territory that is dominated by loyalists of one party and is so dangerous that members of opposing parties, and police, dare not enter it.
20. Buthelezi, known in the past for his threats of force and intimidation as means of political persuasion, stated "This is a time for tolerance and reconciliation... not a time for blame or recrimination." *The Citizen*, (Johannesburg), 24 June 1996, 1.
21. *Weekly Mail and Guardian*, (Johannesburg), 28 June - 4 July 1996, 9.
22. Roelof Meyer, interview with author, 29 August 1996.
23. "(T)here are ominous signs that peaceful areas are beginning to degenerate. Violence monitors warn the situation is ripening for another massacre. In recent weeks monitors say the comparatively low death statistics since the province's June local government elections mask dangerous currents in several corners of the troubled province." *Weekly Mail and Guardian*, <http://www.mg.co.za/mg>, 11 October 1996.
24. Gonzales, 150.
25. *Constitution of the Republic of South Africa*, 1993, s. 179 (1).
26. "The traditional leader of a community observing a system of indigenous law and residing on land within the area of jurisdiction of an elected local government ... shall *ex officio* be entitled to be a member of that local government, and shall be eligible to be elected to any office of such local government." *Constitution of the Republic of South Africa*, 1993, s. 182.
27. Mdlalose.

28. According to one senior member of government, "In three or four years, the role of traditional leaders should be diminished to a purely ceremonial function. However, we do not want to pretend that we are not in Africa. Therefore, we have attempted to find a way to ensure that sufficient respect is accorded to traditional culture in the context of a modern democracy."
29. Paraphrasing the comments of Chief Nyanga Ngubane, KwaZulu/Natal's minister responsible for traditional affairs, the *Weekly Mail and Guardian Reconstruct* reported that "any attempt to install elected local governments would reduce (the chiefs') status." *Weekly Mail and Guardian Reconstruct* (Johannesburg), 12-18 July 12-18 1996, iii.
30. Article 1, Founding Provisions, *Constitution of the Republic of South Africa Act, 1996* (not certified). The ANC position is also supported by those who dispute that chiefs have long-standing involvement in the delivery of services. Siphso Sibanda, representative of the Association for Rural Advancement, said, "Chiefs ... role has been limited to dispute resolution, tribal courts and land distribution. Service delivery was first carried out by magistrates, then later was taken over by the KwaZulu (homeland) government." *Weekly Mail and Guardian Reconstruct*, 12-18 July 1996, iii.
31. Remarks at the Department of Foreign Affairs in Ottawa, Ontario, August 23, 1996.

