

A MISTRA Policy Brief



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(MISTRA)
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Marriages of Inconvenience: The politics of coalitions in South Africa

This policy brief and its recommendations are informed by *Marriages of Inconvenience: The politics of coalitions in South Africa*, which is a research-based, edited volume comprising expert analyses of the uncertain world of coalition politics in South Africa in the global context.

This set of policy recommendations applies to coalition governments across the spheres of South African government, but with particular relevance to the local one. It builds on the research project's markers. On the one hand this is the chaotic coalition politics in South Africa which come

with undependable or destructive, counter-developmental practice. On the other hand, there are also settings in which coalition government is an entrenched way of political life, and these governments are stable and productive.

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Key findings

- Coalition governments are a product of the people’s will in democratic systems: the electorate registers a lack of overwhelming or outright-majority confidence in any single contestant in an election. The political party coalitions and coalition governments that result are largely unstable or changeable, through either elections or party actions between elections.
- Coalitions are by definition not permanent governance institutions. Yet stability and cooperative, constructive governance can be optimised. In the case of South Africa this may be achieved through attention to some legislative reforms, especially of the Municipal Structures Act No. 117 of 1998, which could have a powerful effect.
- Further articulation of government configurations in the local sphere is required, including the choice of the municipal executive system as an option.
- Policy action is most needed, however, in the domain of party politics and political culture – a terrain that does not lend itself to regulation. New party political cultures need to be fostered and then entrenched, ones that do not treat coalitions as substitutes for electoral contests.
- Political parties furthermore need to require their leaders to anchor coalitions in formally negotiated, binding and publicly released coalition agreements. Public political accountability needs to be encouraged, rather than backroom bartering of public goods for personal and/or party political gain.

POLICY RECOMMENDATIONS

The rest of this brief is organised around three areas of intervention to help advance sound coalition practice in South Africa:

A Political culture and practice of parties	B Negotiation and establishment of a coalition agreement	C Coalitions in governance – stabilisation and democratic operation
Illustrations		
By infusing alternative coalition culture: <ul style="list-style-type: none"> • Foster a culture of not using coalitions as a substitute for electoral contest; • Party political interventions (interference) in council politics need to be contained; • Parties need to exercise leadership over caucuses to avoid coalition-switching under the cover of secret ballots; • Regulate motions of no confidence to prevent misuse for narrow party-political purposes. 	By legislative amendment and fostering changes in culture: <ul style="list-style-type: none"> • Negotiate coalition agreements with like-minded parties on policy; • Allow sufficient time for thorough deliberation and agreement on coalitions; • Make public the details of the agreements – do not let backroom bartering rule; • Enforce agreements through the use of a neutral agency if council Speakers cannot be impartial. 	By legislative amendment, application of law, instruction by political parties: <ul style="list-style-type: none"> • Opt for a collective executive system – instead of a mayoral executive; • Insulate municipal management from coalition alternation in line with relevant legislation/regulations on appointment and dismissal.

A: Political culture and practice of parties

The coalition political culture that has been taking shape in South African party politics has been competitive rather than cooperative. The eclectic pursuit of narrow party-political and personal interests has towered over imperatives of stable and constructive governance. The bulk of possible measures to address this lie in the political and not the legislative or regulatory domains – and will therefore be difficult to institute and enforce. Yet, without these being effected, coalition governance will continue to be unstable. All possible attempts should be made to achieve the following policy imperatives:

- Foster interparty willingness to compromise with a view to citizens' interests. Thus, promote a culture of accepting cooperation in the public interest rather than merely pursuing political competition.
- Control party political interference in municipal management, especially from higher party structures (for example, parties' higher-level structures can require action from their council members that are not conducive to interparty cooperation at local government level).
- Discourage abuse of provincial control by 'placing under administration' councils that are under the control of another party.
- Parties need to establish internal discipline over their councillors to prevent abuse of the secret ballot commonly used in voting on motions of no confidence, even though a secret ballot is not obligatory. In the domain of council deliberations, the Speaker also needs to contain the abuse of motions of no confidence for narrow party-political purposes.
- Establish mutual faith between parties that enter into coalitions, or enter into coalitions only if such trust is present or possible, since trust deficits render coalitions fragile.
- Formalise exit clauses to manage instances where differences cannot be resolved, including when there are internal changes in political parties.

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B: Negotiation and establishment of a coalition agreement

Law in South Africa makes minimal provision for the processes that lead to the formation of coalition governments. The Local Government Municipal Structures Act (MSA) No. 117 of 1998, s29(2) specifies a minimum period of 14 days from the day the council is declared elected to the municipal management calling its first meeting. A well considered, solidly founded coalition agreement may take longer. Consideration should be given to achieving this objective by formalising, professionalising and (preferably) enforcing the following processes towards such agreement:

- Enter into formal coalition agreements as a prerequisite to constituting a coalition government, or enter a limited and conditional confidence-and-supply (CAS) agreement. Make it as binding as possible (parties do not necessarily feel bound by coalition agreements). Recognise that smaller parties, especially, may wish to exit coalitions and position themselves electorally – consider interim or minority government for limited, bridging periods.
- The coalition agreement should contain clauses to deal with policy matters, especially those that affect the parties nationally versus locally. If policy intentions are specifically stated this will help to prevent unanticipated new demands. The MSA may need to be amended (with a view to constituting government) to make coalition formation conditional on agreed interparty positions on policy and governance.
- In some conditions it may work to require that a two-step process for forming a coalition government be followed – first, election of, for example, a Speaker; second, conclusion of a formal coalition or CAS agreement.
- Allow sufficient time for the negotiation of coalition government agreements based on criteria determined by an independent agency. The current two-week period in terms of the Municipal Structures Act is too short unless pre-determined agreements are in place.
- The allocation of portfolios and executive positions needs to be reflected in the agreement, and these details need to be announced publicly. This is common practice in countries with stable coalition governments.

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Coalition management

As a subcategory of interparty relations, political parties and governments that are serious about making coalition governments work will be wise to:

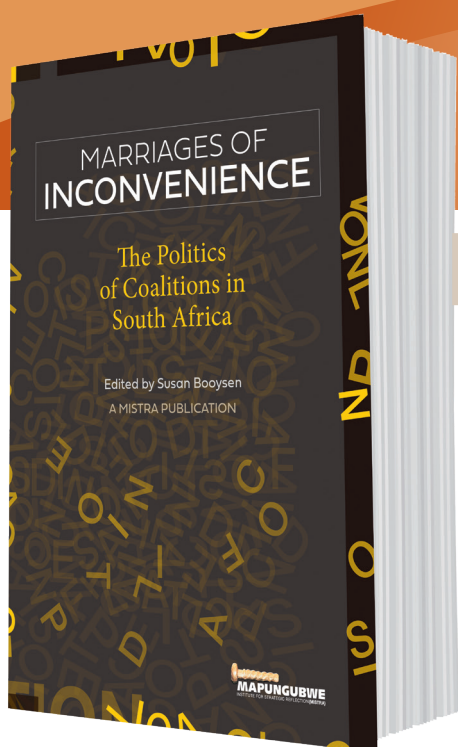
- Position interparty policy coherence or convergence as a requirement for entry into the proposed coalition;
- Establish coalition caucuses with rules on meetings and operations;
- Make provision for authoritative coalition governance mechanisms, including mechanisms for resolving interparty disputes, codes of conduct, and communication strategies;
- Establish compacts around informal rules for sound, effective governance.

C: Coalitions in governance – stabilisation and democratic operation

The following steps, as well as a combination of wisdom, goodwill and formal legal and regulatory measures which are adhered to, are recommended to enhance people-centred and uninterrupted governance:

- At municipal level, opt for a collective executive system instead of a mayoral executive. Thus, the executive will be constituted on a proportional basis, based on election results and proportional representation within the council. This is already permitted in law in South Africa (MSA of 1998, s42–53). The legislative change would be to *prescribe* this executive form rather than have it as an optional alternative to a mayoral executive. The bulk of South Africa’s municipalities use the mayoral executive model. Many KwaZulu-Natal and Western Cape councils have previously used the collective executive system, but then moved away from it.
- Ensure professional autonomy of the municipal bureaucracy. Do not make the appointment of a municipal manager *contractual*, e.g. for five years, because this results in instability, especially when a coalition ruptures.

A combination of wisdom, goodwill and formal legal and regulatory measures – which are adhered to – are recommended to enhance people-centred and uninterrupted governance.



The published book containing the research report entitled Marriages of Inconvenience: The politics of coalitions in South Africa can be purchased from: sales@jacana.co.za | Tel: +27 011 628 3200

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