

DEMOCRACY IN ACTION

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Time for a new agenda

By Barry Streek

ONE OF the most significant of Nelson Mandela's statements shortly after his release from Victor Verster prison was also one of the least reported: his emphatic commitment to democratic practices.

He was, hopefully, not only demonstrating his own beliefs but was also pointing a finger at those in the struggle who call the attainment of power, "democracy", and call their strategies "democratic" when in actual fact they are anything but that.

Indeed, the struggle now should not only be about majority rule, but also about establishing true democratic principles and practices on all levels of South African society.

Sadly, however, some of the practices of the internal movement leave one in serious doubt about whether real democracy is even on the agenda, let alone a priority.

Mr Mandela made a special point in his speech on the Grand Parade on the day of his release to put his beliefs on this issue on the line: "On the question of democratic practice I feel duty-bound to make the point that a leader of the movement is a person who has been democratically elected at a national conference.

"This is a principle which must be upheld without any exception."

The next day at the Bishopscourt press conference, he was asked about his role in the ANC and replied: "No person has the right in our organisation to determine what his role is in the course of the struggle. We are loyal and disciplined members of the organisation. It is the organisation that will determine what role we should play."

No one, he might have gone on to say, has the right to be a leader or to assume leadership. They must be elected by the membership, as represented at a national conference.

Fundamentally, this is the question of answerability. It is also a question of internal

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Beverley Haubrich

Back in circulation . . . Nelson Mandela with Cape Town mayor Gordon Olivier before his first public address in 27 years.

Lifting the lid on democracy

Sue Valentine

IT MAY have been a fortuitous choice, but in the light of recent announcements from parliament it was appropriate that Idasa's first conference of the 1990s focused on the need for democratic responsibility and accountability in public life.

Just what does it mean to be democratically accountable, who are "the people", who is accountable to whom, what sort of democracy are we talking about? These and other issues were raised during the two-and-a-half days of "Responsible Democracy: Ethics and Accountability in Public Life", held at the University of Cape Town

from January 18 to 20.

One of the key people behind the conference was UCT political philosopher Professor Andre du Toit who pointed out that institutions beyond a universal franchise were needed to build a fuller culture of democratic accountability.

"Even more difficult and pressing questions arise if we realise that building a culture of democratic accountability cannot be postponed until a future post-apartheid society will be achieved," he said.

In order to focus the discussion, conference speakers looked at specific issues and case studies in a variety of fields, including

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A responsible press: The Star's Jon Quelane and the MD of Times Media, Stephen Mulholland, debate the issue.

Lifting the lid on democracy

the press, the judiciary, government and the public sector, business and labour, the professions and extra-parliamentary politics.

On the opening night two women dominated the speakers' podium, veteran politician Mrs Helen Suzman and former British cabinet minister and co-founder of the Social Democratic Party Dr Shirley Williams.

Introducing Williams, Suzman condemned the general lack of accountability in South African politics and the predominance of a "faceless bureaucracy" whereby officials and cabinet ministers between them made it virtually impossible to get answers about the country's administration.

"Historians in the 21st century will call the 50 years since the Second World War ended, the era of democracy," Williams said in her opening address, adding that democracy was an extremely young political system which had had its successes and failures but which was on a rising tide.

Threats to democracy she identified included internal divisions such as communal, tribal, religious, ethnic and racial differences as well as extreme discrepancies in wealth. Another was the abuse of power. Quoting Immanuel Kant - "out of the crooked timber of humanity, no straight thing was ever made" - Williams said political power bred abuse and personal corruption was endemic in most human societies. The imposition of opinions, policies or regulations - anything which led to a loss of freedom - was dangerous.

In South Africa the vast discrepancy in wealth between the minority and the im-

poverished majority threatened the growth of democracy. Nevertheless, there was reason for optimism. She identified the country's wealth, sophisticated infrastructure, substantial (although insufficient) number of educated and professional people along with a tradition of struggle, and courts that had produced "ringing verdicts" as important advantages.

"Accountability means power is not absolute. It means officials must account for every one of their public actions. To make accountability effective, laws must be clear, simple, well-publicised and universal," Williams said.

A discussion on the ideals of democratic accountability, followed by presentations on "accountability in practice", set the tone for the first day's programme. Speakers from the MDM, lawyers, doctors, journalists and academics looked at abuses of power within their ranks and ways in which democratic processes could be implemented.

MDM representative Mr S'busiso Ndebele said the main concern was to come up with something that was superior in every way to the apartheid system - a system based on unity, non-racialism, non-sexism and democracy. He outlined six principles that governed the MDM's perspective on democratic accountability.

These included discipline - a willingness to subordinate one's own will to that of the collective. This might involve, in some cases, freedom for political prisoners having to be secondary to the needs of the

struggle; elected leaders who could be recalled if unsuitable or undisciplined; collective leadership which ensured discussion and spread leadership skills; the need to operate with a democratic mandate; report-backs and self-criticism which was vital for an effective organisation which could correct mistakes and learn from them.

The director of the Centre for Applied Legal Studies at the University of the Witwatersrand, Professor John Dugard, raised the thorny issue of judicial independence vs accountability.

Judges should reflect the democratic aspirations of a system rather than the prejudices of a society and they were thus accountable to the general public, Dugard said. He stressed the need for the press to break with its tradition of not commenting on judicial decisions and urged that it should concern itself with the conduct of the judiciary. Similarly legal professionals and academics should monitor the judiciary and express opinions. He added that judges should be drawn from all sections of the community and chosen carefully by a broadly representative group (not just the cabinet).

The lack of direction given to the medical profession by the South African Medical and Dental Council was attacked by Dr Paul Davis, who reminded the audience that the council had to be taken to the Supreme Court before an inquiry into Steve Biko's death in detention was instituted. "The council's failure to respond laid waste to the reputation of the South African medi-

cal profession," Davis said.

He suggested that the "incredible power" of commitment to the Hippocratic oath offered one way of ensuring accountability by medical professionals.

If the press ensures government is accountable, who ensures the press is accountable? asked South African Council of Churches communications director Mr Saki Macozoma. Control of the media and to whom it should be accountable were



Prof John Dugard

the key issues addressed by the press panel. While Times Media Limited managing director Stephen Mulholland held that in a free society accountability to media owners and shareholders would be adequate, foreign correspondent Mr John Battersby warned that this presupposed an ideal world. Therefore it would be inappropriate in South Africa where very few people have access to the media.

Under pressure from several delegates to explain his reference to the press being "like any other commercial activity", Mulholland conceded the social role of newspapers, but said managers had a duty to keep newspapers alive. To do this, newspapers had to succeed in the marketplace without relying on subsidies.

THE DEBATE on the press was somewhat overshadowed by a controversial call to editors to defy restrictions on quoting banned persons and organisations. Although only one vote was eventually recorded against the motion itself, several participants argued strongly that Idasa conferences, which normally draw people of divergent political opinions, were not appropriate platforms for potentially divisive motions. The counter argument was that by their mere attendance participants had already made a choice for democracy, which would entail support for defying unjust laws as advocated by the motion.

In his lead-in paper on the press, *Boston Globe* correspondent Mr Phillip van Niekerk, a regular contributor to the *Weekly Mail*, singled out media monopolies and marketplace distortions which favour wealthy white people as two major causes of the poor state of the South African media.

"If I compare what is available in the mainstream English press today with 10 or 15 years ago, I can only conclude that the quality of information available to the public has suffered. Information and a well-informed public is one of the most essential factors in the process of democracy," he said.

Van Niekerk cautioned against nationalisation, the "classic remedy" for dealing with market distortions. "There is not a single model where state control of the media has resulted in a free, independent and vigorous press." What was needed was a system which moved beyond both models, one which advanced the three principles of diversity, quality and equality to create a democratic press which would empower the public with knowledge.

He suggested the Swedish subsidy system, which has apparently produced one of the most diverse and democratic presses in the world, as a possible way of overcoming the distortions of the marketplace that give unfair advantage to the rich - and to create a more equal flow of information.

Much of the criticism routinely levelled at the press was irrational, said Van Niekerk, adding that the press had become a handy scapegoat for the collective woes of the people, even in countries where the people and their press were free. In South Africa, however, government restrictions on the press further undermined the credibility of journalists among their readers. The fact that the establishment press was "so solidly white and middle class" meant that even the liberal opposition press was often perceived as part of the enemy.

Van Niekerk pointed out that to the average journalist the notion of accountability smacked of "Big Brother". It struck at the very credo of the profession - the notion of independence. However, the press needed to take a hard look at itself and see where it was to blame for its frightful public image. "I suggest we stop using the government

'Authorisation will not go away immediately in the post-apartheid period.'



Dr



Mrs Helen Suzman with Marcel Golding of NUM, left, and Naas

and its essentially failed attempt at a form of totalitarianism as a cover for the dreadful state of South African journalism."

In looking at the ideals for an open and democratic society, Urban Foundation director Ms Ann Bernstein posed some hard-hitting questions in a spirit of "honesty and independence". She said it was necessary to define democracy. "For me it includes far more than merely accountability. What we need is a political system that encourages organisation, leadership, innovations, effectiveness/results, independence of thought and accountability. The next question is how to achieve this."

She asked whether there was really any option other than representative democracy and asked if "direct democracy" (the "permanent dynamic of the peoples' participation") was possible and practical in a complex, modern, industrial society.

"Or is this an idea - a slogan - that hides undemocratic practices, decisions and institutions? Is it really possible for everything to be decided democratically by everybody when ordinary people are very busy trying to make a living, feed themselves and their children and build homes? So the idea 'the people shall decide' is often a rationalisation for 'the activists shall rule'."

Recalling Eastern Europe, Bernstein said the term "peoples' democracies" had often been the advertising slogan of "callous, corrupt, unaccountable and totally undemocratic self-perpetuating bureaucracies".



Shirley Williams and Dr Richard Neustadt.



Steenkamp of Gencor.

How was democracy best served? By a belief in "the people" and the continual use of rhetoric that subsumed different interests and ideas into a single dominant position where people were called to account for their opinion behind closed doors; or by open debate between organised, different, competing groups within the context of a free and critical press and freedom of association?

In a case study on the Labour Relations Amendment Act, University of the Witwatersrand sociologist and labour consultant Dr Duncan Innes described the Act as "the most undemocratic I have seen" and said protests against it in June 1988 had provoked the most successful stayaway in the country's history. "The unions have been consistent in declaring their opposition to the LRAA, but despite the strength of their opposition they have expressed their protest in a non-violent way." Innes said this strategy was beginning to pay dividends as more and more employers agreed not to persevere with the legislation as it stands at present.

He said an ironic offspin from the Act was that it had promoted unity between the two rival union federations Cosatu

and Nactu. However, he added that a forum for employers and unions where they could sit down, discuss and debate issues was needed. The process of labour legislation shouldn't be left to politicians alone. "We must move away from the limited idea that the only legitimate areas of negotiation are wages and working conditions," he said.

As he handed the discussion over to panelists Mr Marcel Golding (Num), Mr Naas Steenkamp (Gencor) and Mr Christo Nel (Consultative Business Movement), Innes posed several questions: Is the unification of Nactu and Cosatu a positive step? Do discussions between Saccola and unions promote a democratic approach to problem-solving? Can they evolve into a more constructive forum for debate? If negotiations are now the dominant strategy, how relevant is boycotting? Do stayaways alienate employers or have they a role?

Assessing the record of democratic accountability in extra-parliamentary politics, Kehle Shubane, research officer at the Centre for Policy Studies at the University of the Witwatersrand, described how the Soweto Peoples' Delegation emerged towards the end of 1988 as a response to the two-year-old rent boycott.

The SPD issued five key demands to the Soweto council and was taken by surprise when the council agreed to all of them. Despite their agreement, however, the council was powerless to implement the demands and the SPD had to look elsewhere to realise their objectives.

Eskom was identified as one target, as was the TPA and the Development Bank of Southern Africa. One of the crucial demands was that a single tax base should be created between Soweto and Johannesburg. However, the Johannesburg City Council and the Witwatersrand Chamber of Commerce and Industries refused to talk to the SPD about this issue.

Shubane explained how the service research group Planact was drawn into the process of providing the technical information needed by the SPD to back up its demands. In turn the SPD (which, because of the state of emergency, comprised only seven high-profile members) relied on the Soweto Civic Association to liaise with the community and to convey the technical information through which people were empowered to evaluate the options open to them.

The crippling effect of the state of emergency was clear insofar as it detained competent activists and banned organisations which were able to inform the community en masse. Shubane said one of the many shortcomings of the SPD was that the clarity of the report-backs that the community received depended on the quality of the activists conveying the often complex information.

HEAD OF Eskom's Soweto project Mr Nic Terblanche said he had no differences with the principles which the SPD saw as essential for creating an effective electricity supply for South Africa. "The fact that 22 out of 33 million people in South Africa do not have electricity is an alarming impediment to the development of quality of life of people," he said. In addition to a humanitarian interest in supplying electricity, Terblanche said the more electricity Eskom could sell, the more electricity could be provided. He said losses in electricity payments amounted to R290 million at present.



Prof André du Toit

South Africa and for that reason Eskom had gone beyond government structures because it was clear that was where the majority community opinion rested.

The ideals of a democratically accountable research group were outlined by Planact's Mr Andrew Borraine, who said the organisation worked on a commission basis and responded to the political process. The issues for research (such as the supply and costs of electricity for Soweto) were those identified by political organisations and Planact's role was to try and generate ideas and skills that would provide the relevant information which could be utilised by community organisations.

On the often thorny issue of critical thought, Borraine said there was no "one line" which had to be observed and the right to critical research was accepted. It was acknowledged that critical thought was the best way to generate ideas, he said.

"As long as organisations are banned there are limits to how democratic they can become," said University of the Western Cape political scientist Mr Vincent Maphai. He pointed out that more than a bill of rights was needed to cope with the authoritarianism that prevailed in South African society and which would not go away immediately in the post-apartheid period.

UCT anthropologist Dr Mamphela Ramphele said there was a need to look beyond the rhetoric - "the people shall govern" - and to develop the capacity of the people to govern. This would act as a unifying process, she added. Whether people had the space to participate, or whether they were simply too busy surviving, also needed to be considered. "Unless we recognise the limitations on people's capacity, we'll continue to speak at cross purposes or only in rhetoric," Ramphele said.