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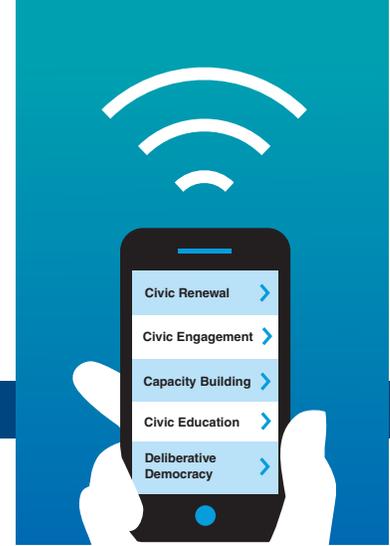
Civic Education >

Deliberative  
Democracy >



# CONNECTIONS

## C O N T E N T S



- 4 **What's Going On Here? Taking Stock of Citizen-Centered Democracy**  
*David Mathews*
- 8 **Yes, Our Democracy Is a Mess, and Yes, Our Opportunities Are Real**  
*Richard C. Harwood*
- 12 **Philanthropy at a Crossroads**  
*Brad Rourke*
- 16 **Lost—and Seeking Directions**  
*Steve Farkas*
- 20 **When Communities Work . . . and Why Citizens Have Work to Do**  
*Keith Melville*
- 27 **From Both Sides Now: A Field Report from New Orleans**  
*Lucas Díaz*
- 30 **Democracy in the Balance: The Complex Dynamics of the Arab World Make Outcomes Far from Certain**  
*Ziad Majed*
- 33 **Twenty Years Later, Democracy Still Struggles to Take Root in South Africa**  
*Ivor Jenkins*



# Twenty Years Later, Democracy Still Struggles to Take Root in South Africa

Ivor Jenkins

It's hard to think that a mere 20 years ago South Africans were in the midst of forging a new society when they voted for the first time on April 27, 1994.

South Africa managed to ride the "third wave" of democratization that swept the world in the 1990s, which started with the fall of the Berlin Wall. Civil society organizations and South Africa's mass democratic movement were instrumental in helping to forge a new post-apartheid order.

This culminated in the adoption of the final constitution in 1996, a document by and for the people. The South African constitution-making process was one that was truly participatory, not a top-down process but one that sought the views of ordinary citizens as well as those with legal and other expertise. The constitution was, like the transition, both home grown and bold for it included not only civil and political rights but also socioeconomic rights, such as the right to health care, housing, education, water, and a clean environment. In "legal speak," these rights are justiciable yet subject to a limitation clause. While citizens are able to sue for the implementation of these rights, the constitution limits such implementation to what is "reasonably justifiable."

And so started an important, fresh, and radically new era for South Africans, namely the entrenchment of the rule of law and a culture of justification. Apartheid had seen the unfettered abuse of state power in virtually every sense. The new constitution set out clearly and deliberately what the founding values of the South African state were to be, values including "transparency, accountability, and openness."

## Daunting Challenges Remain

Yet, even as South Africans look back at 20 remarkable years, 5 free and fair elections, and the passage of power from one elected leader (of the same party, the ruling African National Congress, the ANC) to another, which included the "recall" of President Thabo Mbeki by his party, the challenges that lay before them remain stark. During its 2014 election campaign, the government and the ANC trumpeted

## Twenty Years Later, Democracy Still Struggles

their “good story to tell”—and indeed, there have been multiple successes. Over the past 20 years, ordinary South Africans have experienced change: more than 3.3 million houses were built, benefitting more than 16 million people; close to 12 million people now have access to electricity; and 92 percent of people now have access to potable water. Similarly, the government has implemented a social security scheme, which benefits about 16 million South Africans. Considerable gains have also been achieved in health care, with about 2.4 million South Africans receiving free anti-retroviral treatment.

And yet, South Africa is the most unequal society in the world, with a Gini coefficient of 0.63. Its unemployment rate, at 25.2 percent, is unsustainable. In addition, the fragile social compact that was wrought in the late 1990s and that was so crucial for building trust between the old regime and the ANC seems to be fraying at the edges as increased social protests and unrest in the mining sector continue unabated. No longer able to invoke the “Madiba Magic” that set us on the path to democracy, our debates are often un-nuanced, and we seem to be talking past each other. In recent years, the government has adopted a National Development Plan (NDP), which is meant to provide a menu of options for future development, economic policy, and social cohesion. Yet, ironically, it is a document contested specifically by trade unions who distrusted the process and deem it a “neo-liberal instrument.” And so the divisions remain stark. Even so, in the recent

election, the ANC returned to power with 62 percent of the vote.

In recent years, there have been increasing concerns about the tendency of the government to clamp down on access to information, citing “state security” as a legitimate reason to withhold information from ordinary citizens. There are fears that the Protection of State Information Bill (POSIB), aimed at classifying state information, will be used by government to put pressure on investigative journalists and whistle-blowers. However, South Africa has not yet reached that point. Its courts remain robust defenders of the rights of ordinary citizens, and the media has been relentless in investigating corruption in government and ensuring that this information reaches South Africans.

Thus, the picture of South Africa remains decidedly mixed; not all good news, but not all bad either.

Mostly, though, the deep work of building a democratic society happens outside of the grand narrative of national politics that is dominated by political party squabbles and infighting.

Increasingly, there have been calls for a new “social compact” to be forged on the way forward as South Africa grapples with the triple challenge of poverty, unemployment, and perhaps the biggest chestnut of all, inequality. In addition, given their past, race and class still coincide, and one is more likely to be black and poor than white and poor.

South African civil society has increasingly felt the pressure over

the past 20 years as it has battled to find its voice. The Institute for a Democratic Alternative for South Africa (Idasa) was founded in 1987, and unfortunately closed its doors in March of 2013. Idasa was originally created by its founding leaders, and then opposition party members in the white apartheid parliament, with the purpose to connect ordinary South African citizens with the real leaders of the country, who at that stage were banned and in exile. These two founder members branded the then white apartheid parliament as “white men talking to themselves, with no relevance for the majority citizens of the country” and they walked out of parliament to start Idasa.

During the following years, after the unbanning of the exiled political movements, as an Idasa staff member, I was privileged to facilitate and participate in some of the intense and critical discussions that formed the basis of the transformation of a new democratic society. Idasa was the premier democracy institute and a leading voice in efforts to support and build democratic citizenship in South Africa. While our work was embedded in experience and within communities, we also were able to generate research of a high quality that was able to influence policy and the legislative process. As a “critical ally” to government, our work straddled the divide between citizens and the state. On any given day, Idasa staffers would be training local government councilors in one center and taking on government in parliament opposing legislation we believed infringed rights.

Idasa was an important and credible voice during the 1990s, brokering meetings



The Institute for a Democratic Alternative for South Africa (Idasa) was founded.

Fall of the Berlin Wall

1st non racial elections in post-apartheid South Africa. Citizens voted for the first time. Nelson Mandela was elected president.

Adoption of the final constitution, a document by and for the people.

2nd democratic election. Thabo Mbeki was elected president.

1987

1989

1994

1996

1999

## Twenty Years Later, Democracy Still Struggles

between the ANC in exile and the Afrikaner government of the day. Its roots were therefore in dialogue and bringing people together to do what seemed simple but was so elusive in the late 1980s in South Africa, namely, talking. Ironically, as calls for a new “social compact” in South Africa increase, Idasa’s demise has left a gaping hole in the landscape of organizations able to do the complex work of building trust in societies. This work is almost always about the behind-the-scenes work of building relationships across political and social divides. South Africa faces complex challenges, and many civil society organizations have shifted focus as donors have supported the implementation of socioeconomic rights, such as education and health care.

### Needed: An Honest Broker

The donor rationale seems to be that the institutions of democracy are solid and settled and that deepening the culture of democracy within our democratic institutions is no longer necessary. The past years, though, have shown graphically how much political pressure our democratic institutions are under, whether it is parliament dealing with errant MPs, or the Public Protector, fast becoming a lone voice against graft and corruption, or electoral violence and pockets of intolerance, it is clear that our democratic culture is not yet fully entrenched. In fact, we have a long way to go to reach consensus on our collective constitutional values, and some in government and in pockets of our society have sought themselves to undermine our constitutional values by their conduct.

The demise of Idasa also showed the short-termism and short-sightedness of the donor community and the local business community, which was consistently unable to appreciate the value of civil society organizations and partnerships. What is needed now—more than any time since 1994—is an “honest broker” prepared to work on forging a new social compact across race, class, and other societal barriers.

But perhaps Larry Diamond’s words from the January 2014 issue of the *Journal of Democracy* are an apt way to conclude. He suggests a new strategic approach for the donor community as well as South African civil society as we think again about the remaking of our society:

I think that the international-assistance community also makes a mistake by abandoning civil society after the transition. . . . I have to call attention to the death of that country’s [South Africa’s] seminal institution in building a democratic civil society, IDASA. . . . Whatever other specific reasons may have been involved, its closure was due in significant part to the fact that international financial support for its work in South Africa simply dried up. People said, “Come on, it’s South Africa,

an established democracy in a middle-income country; they don’t need help. There are all these rich South African businessmen, many of them liberal, and they should support institutions like this.” Well, these businessmen are all worried about offending the ANC by overtly

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supporting independent civil society institutions like IDASA, so they’re not going to do so. So where is this kind of institution supposed to get funding? If we say, “Civil society doesn’t need to be a priority anymore; let’s focus just on political institutions,” we risk harming both. Often the energy for institutional innovation and reform comes from civil society, and partnerships between civil society and political parties or between civil society and the state can yield significant benefits. It’s very important not to lose sight of that.

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3rd democratic election. Thabo Mbeki was re-elected president.

2004



4th democratic election. Jacob Zuma was elected president.

2009



Idasa closed its doors.

2013

5th democratic election. Millions of South Africans—including hundreds of thousands of first-time “born free” voters—turned out for the landmark general election. Jacob Zuma was re-elected president.

2014