



**Report
of the
Electoral Task Team**

January 2003

**REPORT
OF THE
ELECTORAL
TASK TEAM**

JANUARY 2003

Published by the Electoral Task Team, Cape Town, 2003

Printed by the Government Printer, Pretoria

ISBN 0-621-33571-1

For further information contact

The Director-General
Department of Home Affairs
Private Bag X114
Pretoria
0001 South Africa
Telephone +27 (0) 12 314 8911

CONTENTS

	<i>page</i>
Chapter 1 Appointment, terms of reference, composition and programme of action of the Electoral Task Team	1
Chapter 2 The round-table conference	7
Chapter 3 Electoral Task Team interaction with stakeholders	9
Chapter 4 Majority recommendations for a preferred electoral system for South Africa	12
<i>Annexure A: Graphic illustration of the present and proposed electoral systems: National Elections</i>	between 31 & 32
<i>Annexure B: Graphic illustration of the present and proposed electoral systems: Provincial Elections</i>	between 31 & 32
<i>Annexure C: Legal framework as proposed by the majority</i>	32
<i>Annexure D: Draft Electoral Systems Bill (as proposed by the majority)</i>	34
Chapter 5 Minority recommendations for a preferred electoral system for South Africa	62
<i>Annexure: Draft Bill (as proposed by the minority)</i>	74
Chapter 6 Concluding comments and acknowledgements	88

CHAPTER ONE

Appointment, terms of reference, composition and programme of action of the Electoral Task Team

1.1 INTRODUCTION

1.1.1 South Africa has been undergoing constitutional transformation since 1993, a process ushered in by the interim Constitution of the Republic of South Africa (Act 200 of 1993). This Constitution provided for the members of the National Assembly and the legislatures of the nine new provinces to be elected in 1994 by universal adult franchise in accordance with a system of proportional representation. With minor modifications (detailed in Annexure A to Schedule 6 of the Constitution), the 1994 electoral system was carried over to the 1999 national and provincial elections by means of items 6(3)(a) and 11(1)(a) of Schedule 6 of the Constitution.

1.1.2 The provisions of the final Constitution relating to an electoral system do not, however, extend beyond the 1999 elections. The Constitution requires that an electoral system be introduced through the enactment of national legislation. Thus there is at present no electoral system prescribed for the conduct of the national and provincial elections scheduled for the second or third quarter of 2004. This situation led Cabinet to establish an Electoral Task Team to draft legislation for an electoral system for the next national and provincial elections. In executing its mandate the Task Team would be guided *inter alia* by the relevant provisions of the Constitution.

1.2 APPOINTMENT AND TERMS OF REFERENCE

1.2.1 Cabinet resolved on 20 March 2002 that an Electoral Task Team (ETT) should be established to “draft the new electoral legislation required by the Constitution”. It should “formulate the parameters of new electoral legislation and draft it in order to prepare for the scheduled National and Provincial elections of 2004 or any earlier election, should the need arise” and include political parties in its consultations with stakeholders. Further, this Task Team was to be chaired by Dr F van Zyl Slabbert.

1.2.2 A letter from the Minister of Home Affairs dated 26 March 2002 informed Dr Slabbert of his appointment and expanded on the Task Team's terms of reference. The ETT would be required to:

- identify the controlling constitutional parameters
- identify the salient and relevant aspects of the South African context
- identify the list of options available within our context
- canvass the preferences and views of relevant role-players and stakeholders, with special regard to political parties, in respect of the list of identified options
- develop specific proposals identifying the preferable electoral system to be canvassed with the aforesaid role-players and stakeholders
- formulate a draft Bill for submission to the Minister of Home Affairs

1.3 COMPOSITION

1.3.1 Initial Cabinet approval was given to a Task Team consisting, in addition to the Chairperson, of a representative appointed by the Minister of Constitutional Development, a representative appointed by the Minister of Provincial Government, a representative appointed by the Chairperson of the Electoral Commission, two representatives appointed by the Minister of Home Affairs, and the Chief Director: Legal Services of the Department of Home Affairs. However, the Minister made it clear that the Chairperson was free to propose additional members to provide expertise and technical assistance and in the event six more appointments were made.

1.3.2 The members appointed to the ETT were:

- **Dr F van Zyl Slabbert** (Chairperson)
- **Raesibe Tladi**¹ (Director: Legal Services, Department of Justice and Constitutional Development: appointed by the Minister of Justice and Constitutional Development)
- **Zamindlela Titus** (Special Ministerial Adviser, Department of Provincial and Local Government: appointed by the Minister of Provincial and Local Government)
- **Adv Pansy Tlakula** (Chief Electoral Officer, Electoral Commission: appointed by the Chairperson of the Electoral Commission)

¹ Ms Tladi resigned on 13 August 2002 and was not replaced.

- **S S van der Merwe** (Commissioner, Electoral Commission: appointed by the Minister of Home Affairs)
- **Norman du Plessis** (Deputy Chief Electoral Officer, Electoral Commission: appointed by the Minister of Home Affairs)
- **Adv Rufus Malatji** (Chief Director: Legal Services², Department of Home Affairs)
- **Professor Jørgen Elklit** (Department of Political Science, University of Aarhus, Denmark: recommended by the Chairperson)
- **Professor Glenda Fick** (School of Law, University of the Witwatersrand: recommended by the Chairperson)
- **Nicholas Haysom** (Attorney in private practice: recommended by the Chairperson)
- **Dr Wilmot James** (Executive Director, Social Cohesion and Integration Research Programme, Human Sciences Research Council: recommended by the Chairperson)
- **Dren Nupen** (Director, Electoral Institute of Southern Africa: recommended by the Chairperson)
- **Tefo Raditapole** (Attorney in private practice: recommended by the Chairperson)

Jenny Nothard was appointed Secretary and Administrative Manager of the ETT.

1.4 LAUNCH

The ETT was formally launched by the Minister of Home Affairs in the auditorium of 120 Plein Street, Cape Town on 9 May 2002. On this occasion the Minister made it known that he hoped to receive the completed draft legislation by 11 November 2002.

1.5 MEETINGS

Broadly speaking, the ETT meetings were of three types: planning, engaging stakeholders and internal deliberations.

1.5.1 Planning

These meetings had to do with drawing up the ETT budget, planning fundraising, commissioning research and finalising a questionnaire, and making arrangements for

² This was Adv Malatji's designation at the time of his appointment to the ETT; he is now Acting Deputy Director-General of the Department of Home Affairs.

a round-table conference. The ETT also decided that Professor Roger Southall (Executive Director, Democracy and Governance, Human Sciences Research Council) would convene and report on the research to be commissioned, a comprehensive survey of voters' involvement in, and understanding of, current politics and the electoral system. The survey was to be undertaken by four South African research survey companies (ACNielsen MRA, MarkData, Markinor and Research Surveys) and coordinated and analysed by the Human Sciences Research Council. It was agreed that their work would be completed by 23 August 2002, so that Professor Southall and Dr Robert Mattes (Associate Professor, Department of Political Studies and Director, Democracy in Africa Research Unit, University of Cape Town) could interpret the results and prepare them for presentation.

1.5.2 Engaging stakeholders

The ETT decided that it should be as open, accessible and transparent as possible. Meetings were scheduled to engage interested bodies from civil society and media representatives (see paragraphs 1.5.2.4, 3.1, 3.2 and 3.4) and it was made clear that the ETT would welcome comment and analysis.

1.5.2.1 The most important injunction laid on the ETT, stressed repeatedly by the Minister of Home Affairs in the Chairperson's letter of appointment, was to engage political parties throughout its deliberations. They after all represent the voters. To this end, the ETT asked each party in Parliament to appoint a liaison person to facilitate communication with the ETT.

1.5.2.2 Introductory meetings were held with the political parties on 11, 12 and 25 June 2002. It was made clear that at that stage the ETT was not interested in a "final" position on an electoral system but simply wished to canvass views and familiarise parties with its approach and work process. The ETT also met with the Home Affairs Portfolio Committee at Parliament on 25 June 2002.

1.5.2.3 Furthermore, the ETT asked each party to send not more than three delegates (in addition to party representatives who would be participating in panel discussions) to a round-table conference to be held on 9-10 September 2002. At the end of the conference each party would receive the proceedings of the conference, the research

report and details of the options to which the ETT was giving serious attention. Finally, the ETT set aside the month of October to engage all parliamentary parties, once they had been given as much information by the ETT as possible, in discussions on their preferred electoral systems for South Africa.

1.5.2.4 On 25 June, 11 July and 22 July 2002, the ETT met with representatives of the media and relevant NGOs which had expressed an interest in engaging the ETT in discussions. These were the Centre for Policy Studies, the Helen Suzman Foundation, the Institute for Democracy in South Africa (Idasa) and the Steve Biko Foundation. Other NGOs, such as the Gender Advocacy Programme (Gap), made written submissions. The ETT also received a number of papers from academics and had the benefit of reports on conferences where electoral systems had been discussed.

The round-table conference held on 9-10 September 2002 is discussed in Chapter 2.

1.5.3 Internal deliberations

As the work of the ETT progressed, time was set aside for internal deliberations. For example, Professor Glenda Fick of the School of Law at the University of the Witwatersrand presented a paper on the constitutional position and the terms of reference of the ETT, Dr Wilmot James of the Human Sciences Research Council presented a paper on core values that should guide deliberations on alternative electoral systems, Norman du Plessis of the Electoral Commission gave an overview of different electoral models and their practical applications and consequences in the South African context and the Chairperson put forward a proposal in the form of a discussion document on which each member was invited to comment. This formed the basis for discussion at a weekend retreat held in October 2002, when the ETT was to come up with its final recommendations for a preferred electoral system.

1.6 CONCLUSION

From the outset the ETT operated under a severe time constraint. When it was appointed only two to two-and-a-half years remained before the 2004 national and provincial elections. Any electoral system that would require extensive redemarcation and voter education would simply be too impractical for consideration, no matter how suitable it might otherwise be in the South African situation. The ETT was aware of

the resulting tension. It had to do the best it could within the time available. In the event, it is satisfied with the results of its efforts.

CHAPTER TWO

The round-table conference

2.1 INTRODUCTION

A round-table conference took place at the Vineyard Hotel in Cape Town on 9-10 September 2002 and was formally opened with a keynote address by the Minister of Home Affairs. A central theme of the Minister's address was the issue of how an electoral system can contribute to political accountability in the sense of closer interaction between public representatives and voters. This was one of the issues that dominated debate throughout the conference.

2.2 TOPICS OF DISCUSSION

During the formal presentations and discussants' responses a number of key points emerged: first of all, the advantages of the current electoral system – fairness, inclusiveness and simplicity – that should not lightly be interfered with. Secondly, the need to introduce greater accountability into democratic politics and the role which electoral systems can play in this regard. Views on this ranged from there being no role for electoral systems in accountability, through electoral systems having some contribution to make, to electoral systems having an absolutely essential role. Proponents of the latter two views felt that some form of constituency system (over and above the current nine provinces each being a constituency) needed to be combined with a proportional representation system. Opponents, on the other hand, emphasised the danger of becoming so obsessed with electoral accountability as to undermine the obvious advantages of the current system.

A range of issues that could logically be linked to the problem of accountability, but bore no obvious relationship to electoral systems, was also raised. These included internal party discipline, the role of Parliament, party funding, rural/urban differences, the separation of powers and the relationship between party and support base. This highlighted the fact that an electoral system is only one component of the process of democratic consolidation, albeit an important one.

2.3 RESEARCH REPORT

The agenda of the conference included the results of the research that had been commissioned, which were presented by Professor Roger Southall and Dr Robert Mattes. The intention of the research was to establish to what extent voters identified

with and understood the current electoral system and to identify indicators of the need for adjustments or amendments.

Delegates were left in no doubt that there was a very high level of satisfaction with the current system. For example, 74% of voters were “satisfied with the way we elect our government”, 72% felt that the current system was “fair to all parties”, 81% that it ensured “we include many voices in Parliament”, 78% that it gave voters “a way to change the party in power” and 68% that it helped voters “hold the parties accountable for their actions”.

Not only was there a great extent of satisfaction with the inclusiveness and fairness of the current system, but results showed a high degree of political literacy and over 80% of the respondents declared a clear intention to vote in 2004. Whatever reservations voters may have had regarding parties, leaders and/or politicians, they displayed a marked commitment to the act of voting and its importance in the democratic process.

What is also clear is that a significant majority of voters wanted closer interaction with the politicians who represent them. Thus 71% said they wanted to vote for a candidate from the area where they lived, 64% that MPs should “live close to the people they represent” and 53% that party candidates should be chosen by party members rather than party leaders.

2.4 CONCLUSION

The feedback the ETT received on the round-table conference indicated that it was successful and that participants found it worthwhile. A number of participants expressed the view that more such public debates were needed in South Africa.

CHAPTER THREE

Electoral Task Team interaction with stakeholders

3.1 INTRODUCTION

On 11, 12, 25 and 26 June and 11 and 22 July 2002 the ETT held meetings with political parties, NGOs and academics.

3.2 OVERVIEW OF INTERACTION WITH STAKEHOLDERS

3.2.1 A theme that was to repeat itself constantly throughout the ETT's activities was satisfaction with and the acceptability of the current system as far as fairness and inclusiveness are concerned. This was particularly so in the case of most of the political parties and slightly less so as far as representatives of the media and NGOs were concerned.

3.2.2 The same emphasis, however, was placed on the importance of accountability. What was apparent was that, whereas there was a high degree of consensus as to what principles such as fairness, legitimacy, inclusiveness, simplicity and representativeness meant, this did not apply to the principle of accountability. (An attempt is made to clarify this confusion in Chapter 4.) For many participants the principle of accountability related to the internal organisation of political parties, their relationships with their respective support bases, party funding, parliamentary discipline and so on. No doubt these and other issues play an important role in making a political system more democratically accountable, but none is directly related to the working of an electoral system. Many, if not all, of these factors relate to accountability between elections: what is known as "interim accountability". The ETT had repeatedly to stress the distinction between an electoral system that *produces* representatives, on the one hand, and the *subsequent behaviour* of such representatives as far as accountability is concerned, on the other. The point was emphasised that no electoral system can compel an elected representative to behave democratically, take care of a constituency or party responsibilities, or be a disciplined, dedicated member of Parliament. In so far as these issues may relate to accountability, additional measures, policies, rules or regulations are needed to operate alongside or parallel with an electoral system.

3.2.3 Nonetheless, some of the stakeholders involved refused to accept that an electoral system bears little relationship to the principle of accountability. For them it was inconceivable that an electoral system could make so slight a contribution to accountability.

3.2.4 The continual emphasis on interaction between representative and voter was taken very seriously by the ETT and Chapter 4 demonstrates how it grappled with this problem. The fact remains that many of the matters raised with the ETT did not fall within its terms of reference. Issues such as party funding, the internal democratic organisation of parties, a stronger monitoring role for Parliament and the possibility of a directly elected President were mentioned. They reflect a wider concern with problems related to accountability but fall outside the ETT's purview.

3.3 FINAL MEETINGS WITH POLITICAL PARTIES

3.3.1 A final meeting with each political party took place on 11, 15, 16, 17 and 25 October 2002. The purpose of these meetings was to establish each party's preference for the most appropriate electoral system for South Africa. It is worth noting that the interaction between the ETT and all parties without exception was cordial and constructive.

3.3.2 Most parties made written representations which they elaborated on in discussions. All parties were in favour of some system of proportional representation. The governing party, the African National Congress, favoured the retention of the current system, as did the African Christian Democratic Party, the Afrikaner Eenheidsbeweging, the Freedom Front, the New National Party and the United Christian Democratic Party. On the other hand, the Democratic Party, the Federal Alliance, the Inkatha Freedom Party, the Pan Africanist Congress and the United Democratic Movement favoured a move towards a multi-member constituency system, while the Azanian People's Organisation favoured a "first-past-the-post" constituency system for 50% of National Assembly seats and proportional representation for the remaining 50%.

3.4 CONCLUSION

In the short time available the ETT canvassed opinion as widely as possible, through commissioned research, conferencing and interaction with stakeholders and other interested parties. This was important in order for it to understand "the salient and

relevant aspects of the South African context” mentioned in its terms of reference. All these activities helped shape the ETT’s own final deliberations, the conclusions of which are presented in the following chapters.

CHAPTER FOUR

Majority recommendations for a preferred electoral system for South Africa

4.1 INTRODUCTION

4.1.1 When the time came to formulate its own recommendations, the ETT was confronted by the fact that two schools of thought had crystallised out of its own deliberations: one that the current system should be retained unchanged and the other that a larger measure of constituency representation should be built into the system. No unanimity or consensus could be reached on these two points of view.

4.1.2 It was consequently agreed that those to whom the ETT report is addressed should not be denied the benefits of either of these views and that each group should draft and sign its own set of recommendations. The majority recommendations are submitted in this chapter and the minority recommendations in Chapter 5.

4.1.3 The fact that there are majority and minority views should not create the impression that the ETT is deeply divided on every issue. There is considerable consensus and unity of purpose on these points:

4.1.3.1 The core values/principles should be reflected in the electoral system.

4.1.3.2 A preoccupation with accountability should not jeopardise the values of fairness, inclusiveness and simplicity.

4.1.3.3 The current electoral system should not be replaced or radically altered.

4.1.3.4 The current electoral system enjoys considerable support, has served South Africa well through two sets of national and provincial elections and has contributed greatly towards transitional stability.

4.1.4 The key question on which the ETT divided had more to do with the problem of risk than with matters of deep principle and substance. The question can be put in this way: Do the advantages of adjusting the current system outweigh the concomitant disadvantages? (Or do the advantages of not

changing the current system outweigh the concomitant disadvantages?) The majority thought it worthwhile to adjust the current system; the minority thought not.

4.2 THE CONTROLLING CONSTITUTIONAL PARAMETERS

4.2.1 The ETT accepted at the outset that its brief was not to suggest amendments to the Constitution, but to propose an electoral system in terms of the relevant constitutional guidelines. Furthermore, this electoral system was to apply only to national and provincial elections and not to those for local government.

4.2.2 Several constitutional provisions are relevant:

4.2.2.1 Subsection 1(d) (in the Founding Provisions) states that South Africa as a “sovereign, democratic state” is founded *inter alia* on the values of “[u]niversal adult suffrage, a national common voters roll, regular elections and a multi-party system of democratic government, to ensure accountability, responsiveness and openness”.

4.2.2.2 Section 19 (in the Bill of Rights) states that every citizen is “free to make political choices” and that this includes the rights “to form a political party; to participate in the activities of, or recruit members for, a political party; and to campaign for a political party or cause”; furthermore, that “[e]very citizen has the right to free, fair and regular elections for any legislative body established in terms of the Constitution” and “has the right to vote in elections for any legislative body established in terms of the Constitution, and to do so in secret; and to stand for public office and, if elected, to hold office”.

4.2.2.3 Under the heading “National Assembly” (in Chapter 4: Parliament), subsection 46(1) stipulates that the National Assembly “consists of no fewer than 350 and no more than 400 women and men elected as members in terms of an electoral system that is prescribed by national legislation; based on a national common voters roll; provides for a minimum voting age of 18 years; and results, in general, in proportional representation”.

4.2.2.4 In addition, under the heading “National Council of Provinces” in the same chapter, sections 60, 61 and 62 provide for such a council and spell out its composition, allocation of delegates and membership.

4.2.2.5 As in the case of the National Assembly, subsection 105(1) (in Chapter 6: Provinces) specifies that a provincial legislature “consists of women and men elected as members in terms of an electoral system that is prescribed by national legislation; is based on the province’s segment of the national common voters roll; provides for a minimum voting age of 18 years; and [also] results, in general, in proportional representation”. Furthermore, subsection 105(2) states that a provincial legislature “consists of between 30 and 80 members” and that “[t]he number of members, which may differ among the provinces, must be determined in terms of a formula prescribed by national legislation”. Item 25 of Schedule 2 of the interim Constitution as amended and kept in force by items 6(3) and 11(1) of Schedule 6 of the Constitution defines a “region” as “the territorial area of a province” and defines a “regional list” as a party’s list of candidates (in preferential order) for an election of the National Assembly.

4.2.2.6 Another provision which has implications for an electoral system is contained in Annexure A to Schedule 6 (Transitional Arrangements) of the Constitution. This annexure contains amendments to Schedule 2 of the interim Constitution and inserts item 23A, which relates to what are known as “floor-crossing” or “anti-defection” provisions, under the heading “Additional grounds for loss of membership of legislatures”. Item 23A(1) states, “A person loses membership of a legislature to which this Schedule applies if that person ceases to be a member of the party which nominated that person as a member of the legislature.” However, item 23A(3) qualifies this: “An Act of Parliament may, within a reasonable period after the new Constitution took effect, be passed to amend this item” so as to permit floor crossing without loss of membership of a legislature.

Legislation was adopted during 2002 to do precisely that. Urgent proceedings in the Cape High Court by the United Democratic Movement to block the legislation ended in the Constitutional Court some months later. That Court found that a prohibition on floor crossing “is not an essential component of multi-party democracy, and cannot be implied as a necessary adjunct to a proportional representation system” and that legislation to permit floor crossing was not as such unconstitutional. The judgment expressed no view on

floor crossing vis-à-vis closed- and open-list proportional representation systems. The Court made plain that it could not rule on the appropriateness of the provisions but only on their constitutionality. The ETT has a different mandate, to propose the most desirable electoral system for South Africa, and has therefore itself investigated the question of floor crossing.

- 4.2.3 These constitutional parameters provide the broad framework in terms of which a future electoral system for South Africa will have to be considered and proposed. They also provided the framework in terms of which an electoral system was decided on for the 1999 national and provincial elections (the 1994 system with minor modifications). For convenience' sake, this electoral system will be referred to as "the current electoral system", although, technically speaking, it was decided in 1996 it would apply only until the 1999 elections, after which an electoral system would be decided on by Parliament. There is thus a legislative vacuum as far as a system for the election of national and provincial legislatures is concerned and it is the brief of the ETT to present a proposal to fill this vacuum, which will be handed to the Minister of Home Affairs to put before Cabinet.
- 4.2.4 It needs to be repeated that the ETT's terms of reference do not imply that the current electoral system has to be abandoned or replaced. In a speech launching the ETT on 9 May 2002, the Minister made it clear that the advantages or disadvantages of the current system had to be thoroughly investigated before – and if – it was to be amended or abandoned.
- 4.2.5 The obvious and immediate problem confronting the ETT was how to compare the relative merits of alternative electoral systems, which had to be done in terms of its letter of appointment. The second point of several in this letter expanding on the terms of reference states specifically that the ETT had to consider the most appropriate electoral system against the background of "the salient and relevant aspects of the South African context". It would serve little purpose to propose an elegant electoral model that was not appropriate to such "salient and relevant aspects". However, even if the ETT had reached consensus on these aspects (and consensus is unlikely where enquiry and debate are ongoing), it still would not have resolved the dilemma of what criteria to apply in deciding on the most appropriate electoral system. After sustained and vigorous debate, the ETT reached a high degree of agreement

as to what the core values/principles should be for judging the adequacy of alternative electoral systems. Once decided on, these were then elaborated at the round-table conference and were generally accepted by those present. They need to be briefly stated now before recommendations can be made on an electoral system.

4.3 CORE VALUES/PRINCIPLES FOR JUDGING AN ELECTORAL SYSTEM

4.3.1 The ETT accepted *fairness, inclusiveness, simplicity* and *accountability* as core values. The majority view on these values can be stated briefly:

4.3.2 Fairness

4.3.2.1 Taking its cue from the Constitution, the majority felt not only that every eligible voter should have the opportunity to vote but that, as far as possible, all votes should be of equal value. This was the understanding of proportionality “in general”, where every vote has some relevance in the composition and membership of the national and provincial legislatures. Fairness also lies in the closeness of the relationship between votes cast and the composition of the body elected.

4.3.2.2 A common misconception which was cleared up in the process of interaction with interested parties was that proportionality cannot be associated with a constituency system. For many, a constituency system meant a “first-past-the-post” system and this was seen as undermining proportionality and fairness. When it became clear that a multi-member constituency system was in fact proportional and generally fair, there was a distinct shift in some parties’ attitudes towards the various electoral systems.

4.3.3 Inclusiveness

4.3.3.1 By this is meant that, given the demographic, ethnic, racial and religious diversity of the South African voting population, every attempt should be made to allow the widest possible degree of participation by various political preferences in the representative legislatures. An electoral system that inhibited inclusiveness could be a source of instability and conflict.

4.3.3.2 Almost without exception, political parties and other commentators commended the inclusiveness of the current system. The ETT agreed that no proposed electoral system should undermine inclusiveness. The ETT also argued that, with a view to the system's remaining as inclusive as possible, *no legal threshold for representation should be applied.*

4.3.4 Simplicity

4.3.4.1 Given the South African situation, a complex electoral system presupposing a high degree of literacy would violate the principles of fairness and inclusiveness. The system has to be accessible to practically every voter, easy to understand and easy to participate in. It is not simply the act of voting that is important; voters must also understand the results.

4.3.4.2 At the same time, the degree of political sophistication of the average South African voter should not be underestimated. Voters have become used to multi-balloting and to distinguishing between voting for individual candidates and for parties in municipal elections. The rate of spoilt ballots in modern South African elections is remarkably low in comparison with many other countries and has been below 2% in all elections from 1994 onwards. This applies not only to the national average; close analysis of the situation in all 15 000 voting districts shows no great variance. Whether a constituency ballot paper is used in addition to a national/provincial ballot paper is inconsequential in terms of simple voting procedures.

4.3.5 Accountability

4.3.5.1 No principle gave rise to more discussion and debate than this. Although it is common cause within the ETT that an electoral system may encourage, but cannot ensure, accountability, with very few exceptions a lack or perceived lack of accountability was identified as a problem in the current system. This factor was also emphasised by most media representatives whom the ETT subsequently met and also surfaced in many of the submissions by NGOs and other interested parties.

4.3.5.2 The results of the public opinion survey largely confirm the impressions gained from the initial discussions with political parties. In terms of percentages of respondents, 74% were satisfied with the fairness and equality of the present electoral system and 81% with its inclusiveness. In the matter of accountability, however, while 68% felt that the electoral system helped voters hold political parties accountable, only 60% felt that the system helped voters hold individual representatives accountable. This resulted in 71% feeling that candidates should come from the area they represent, which was seen as a means of improving their individual accountability. Lack of accountability and availability/responsiveness was thus also seen as the weak point of a system with which respondents were otherwise generally satisfied.

4.3.5.3 Throughout the many discussions the ETT had with stakeholders as well as debates at the round-table conference, it became clear that there was a host of aspects of democratic political life that revolved around the issue of accountability but were not related to, or consequent upon, a specific electoral system. Very often people associate issues of accountability with an electoral system, whereas no system can simply deliver accountability. Electoral systems of whatever variety can be abused by leaders, cliques, representatives and parties in an unimaginable number of ways. Redress for such behaviour cannot be sought in an electoral system. Certainly, collective accountability allows a party to be rewarded or punished by voters at election time, but this usually comes around only every four or five years. Some would argue that nothing more can be said about accountability in relation to an electoral system.

4.3.5.4 The question remains: Is there nothing else an electoral system can do to make a contribution to political accountability? In the interaction of the ETT with parliamentary parties, interested NGOs and media representatives, a recurring theme was that an electoral system could at least put a face to a party, somebody who has representative responsibility for a designated area, somebody who is identifiable and accessible in the period between elections. Collective accountability at periodic intervals was seen as insufficient. Some form of individual

accountability had to be provided by an electoral system. The majority saw this as a real challenge in proposing an electoral system.

4.3.6 A final word on core values: It should be obvious that each principle/value – fairness, inclusiveness, simplicity and accountability – could be presented separately with compelling intellectual and moral force. In this sense, each principle is a “good” value. What happens, however, when they are pursued concurrently in the development of an electoral system? They possess no inevitable fixed hierarchy of importance. We are not forced to choose between good and evil. We have to weigh up the relative importance of each in relation to the others in proposing an electoral system. The ETT has done this by taking into account “the salient and relevant aspects of the South African context” and thus gives primacy to fairness, inclusiveness and simplicity. It would be hard put to it to propose an electoral system that demonstrably gives primacy to accountability at the expense of these three factors. This is an extremely difficult choice to make and in no way shows contempt for the problem of accountability. It is, however, a choice the ETT has made.

4.4 THE MAJORITY VIEW ON SINGLE-MEMBER CONSTITUENCIES WITH A COMPENSATORY CLOSED NATIONAL LIST

4.4.1 The ETT considered some eleven different electoral systems. One enjoyed more attention than others before it too was found unacceptable: single-member constituencies with a compensatory closed national list. This calls for comment. Under such a system, the country would be divided into single-member constituencies which would each elect an MP on a “first-past-the-post” basis. This would lead to considerable disproportionality with the larger parties dominating the scene and the biggest of all probably winning more than 80% of constituency seats. In order to restore proportionality, a second ballot would determine overall party support and its result would determine the final composition of the National Assembly, with proportionality being restored by allocations from closed national lists.

4.4.2 Such a system would, generally speaking, align the electoral systems for all three spheres of government and could allow for independent candidates to participate in elections. It would also provide a sound basis for floor-crossing arrangements in the case of directly elected representatives and deal with the inadequacies of the present provincial electoral system as far as localised

representation is concerned. Regular, if costly, by-elections could also serve as a political barometer providing continuous evaluation of government.

- 4.4.3 For provincial elections there would, however, be 215 constituencies and not the 200 used for the national election. This would flow from the constitutional prescript on the minimum (30 seats) and maximum (80 seats) sizes of provincial legislatures. In four provinces, this would result in the constituency boundaries for national and provincial elections not corresponding with each other – in addition to not corresponding with municipal boundaries in any event, since single-member constituencies would all have to have about the same number of voters. The Constitution would consequently have to be amended to avoid the situation of many voters having to vote in two different constituencies (and thus at two different voting stations) on the same day, or else national and provincial elections would have to be conducted on separate days, which would greatly increase costs. This apart, the demarcation of constituencies will always be complex, time-consuming and costly and its results unavoidably controversial.
- 4.4.4 This system enjoyed considerable media and some party-political support at the outset. When parties stated their formal preferences at the end of the process, however, only one small party continued to regard this as an option. Proponents of this system principally support it because direct election has traditionally been regarded as providing the greatest degree of accountability. The distinction between collective and individual accountability is, however, blurred. The case of collective accountability is clear: the political party must account to the electorate for its performance as a party. The electoral fortunes of a party are thus mostly determined collectively.
- 4.4.5 When it comes to individual accountability, the matter is less clear. Candidates are elected in their own right, but that is mainly as a result of their association with a political party. It should be remembered that one can reject an individual candidate only by voting for a candidate from another political party, and that may just be asking too much of many voters, regardless of where they find themselves on the political spectrum. In reality, the opportunity to reject an individual candidate in an election seldom materialises.
- 4.4.6 The problems or disadvantages presented by a mixed proportional system with single-member constituencies are such that there would be more to lose

than to gain by it at the present time. The ETT thus did not see it as a viable option.

4.5 THE MAJORITY RECOMMENDATION

4.5.1 Discussion

4.5.1.1 A critical point of departure for the majority view is that the current electoral system is already a mixed proportional system where at least half the representatives are elected from nine regions (provinces) or constituencies, which are clearly defined geographic areas (see item 25 of Schedule 2 of the interim Constitution). The provinces are to all intents and purposes multi-member constituencies with representatives elected from separate regional lists and with a separate quota applying in each case. The remaining 200 representatives are allocated from compensatory national lists (with a quota which is different from any of those used to determine regional/ constituency representation) with a view to restoring overall proportionality. (A less favoured alternative would be to submit only regional or constituency lists [400 names] which would then also be used for top-up purposes in order to restore overall proportionality. This would not change the method of calculation for the allocation of seats.) The minority view is that provinces should not be treated as multi-member constituencies. This is a fundamental difference of opinion between the majority and the minority.

4.5.1.2 This point of departure is critical for the majority view because the principle of multi-member constituencies, which is already embedded in the current electoral system, can be used to expand the number of such constituencies in an evolving electoral system for the country. The majority proposes multi-member constituencies together electing 300 members of the National Assembly and a compensatory closed national list providing 100 members (giving a total of 400 members).

4.5.1.3 This proposal corresponds generically with the current system except in that the present nine multi-member constituencies (regions/provinces) would be expanded to some 69. *(In accordance with the relevant formula, there would be approximately 69 multi-member constituencies if the present distribution of population in municipalities*

were taken into account. The final demarcation might result in one or two constituencies more or fewer. For the sake of simplicity, we shall simply refer to “the 69-constituency option”.) The boundaries of constituencies would be those of district councils (with perhaps combinations or sub-divisions of district councils along local municipal boundaries) and metro councils (or subdivisions thereof) and the same outer boundaries would apply for national, provincial and obviously also municipal elections. No constituency boundary would transcend a provincial boundary and an electoral demarcation would thus not be required. There would merely have to be an adjustment to the number of representatives (according to the number of registered voters) to be elected in those cases where, owing to the constitutional prescript on the sizes of provincial legislatures, the number is not the same for the provincial election as for the national election.

4.5.1.4 The number of representatives to be elected in such a constituency would vary, depending on the number of voters, from three to seven for a national election, and 300 of the 400 members of the National Assembly would be elected from closed constituency lists in this way. It might be preferable to operate with both a constituency and a national ballot paper but, since lists would be closed, it would be possible to combine them and use one ballot paper only, as is the case under the current system. For the voter, regardless of the number of ballot papers, there would be no confusion concerning voting procedures or ballot papers. Voters have become familiar with multiple ballot papers in municipal elections and ballot papers would still bear the names of political parties, their emblems and their leaders' photographs.

4.5.1.5 Apart from the 300 constituency representatives, a further 100 representatives would be allocated from closed national lists in order to restore overall proportionality. The results in the constituency elections would already be largely proportional and, with current voting patterns as a guide, it is not expected that any deviation from overall proportionality would exceed the 4%-6% range. It would therefore be easy to restore overall proportionality.

4.5.1.6 What has been given here constitutes the technical outline for the suggested electoral system for South Africa. The question obviously has to be asked: In what significant way is it an improvement on the current system? To answer this question, we must return to the core values which should be used to judge the adequacy of an electoral system. It is common cause that fairness, inclusiveness and simplicity should not be jeopardised. The majority is of the opinion that its proposal complies with this injunction. It is also common cause that an electoral system cannot resolve the problem of political accountability. But can one electoral system make a greater contribution than another? The majority is persuaded that it can, and that its proposal makes significant progress towards this end.

4.5.1.7 A distinction can be, and often is, drawn between individual and collective accountability. It has already been pointed out that individual accountability in a "first-past-the-post" constituency system is more apparent than real. Collective accountability occurs at each general election when a party is subjected to the opinion of the electorate. Is it, however, in any way possible to complement collective accountability with some form of individual accountability? The only way to increase individual accountability significantly would be to create the possibility for a candidate to be rejected *without concomitant rejection of a party*. This could best be achieved by using open rather than closed party lists, with voters influencing the order of candidates. They would do this either by ranking candidates or by selecting a number of preferred candidates listed next to the emblems of their respective parties. Should the order of candidates, as decided by a party, be acceptable to a voter, however, then a mark need merely be made against the name of the party. Open lists would not only improve the accountability of individual candidates dramatically but would also substantially increase voter participation in the democratic process.

4.5.1.8 It should be obvious that the candidate lists of the present nine multi-member constituencies (provinces/regions) do not lend themselves to becoming open lists. Two hundred names appear on the nine different constituency (regional) lists and these are simply too many to be ranked by any electorate. The three to seven candidates in the

69 multi-member constituency option would offer a much better prospect of success.

4.5.1.9 In the short to medium term it will not be possible to have open lists in the proposed multi-member constituencies. Present literacy rates simply make this impractical. It is, however, particularly important to keep the possibility in mind with a view to later evolution. Even if closed candidate lists are used for the foreseeable future, the 69 multi-member constituency option is a much better prospect. Given that the lists will be short (three to seven names) and that candidates will have to campaign in their constituencies and represent them afterwards, there will clearly be a face to representation and a much closer link with the electorate than is presently the case. Putting a face to politicians seems to be the only way to increase accountability significantly at the present time. The current system makes no contribution to this.

4.5.1.10 Although it is common cause that the current system has considerable merit and the research and round-table discussions revealed a large measure of satisfaction with it, it is not flawless or incapable of improvement. If, for example, one looks at the present electoral systems in the three spheres of government, it is clear that a common approach was not followed in their institution. At the national and municipal levels, we have two-tier systems with both centralised and decentralised components. For the election of the National Assembly there are regional lists (decentralised/localised) as well as national lists (centralised for the country as a whole). For the election of municipal councils there are ward representatives (decentralised/localised) as well as proportional list representatives (centralised for the municipality as a whole).

4.5.1.11 The electoral system for provincial legislatures is, however, out of step. Here each province is regarded as a single entity and, contrary to the expectation of greater decentralisation in the second sphere of government, there is no decentralisation, with a single provincial list being used to elect representatives. It thus falls to political parties to ensure that all regions or sectors of society in a particular province – such as urban/rural communities with their

concomitant socio-economic disparities – are fairly represented in a provincial legislature. If inclusiveness is important in terms of accommodating most political groupings, then it is hard to understand why the division which exemplifies one of the country's fundamental problems, that between the economically advantaged and disadvantaged, is not dealt with at a fundamental level but is left to political parties to resolve internally. It is quite possible to deal with this matter in an electoral system which provides for localised representation. The majority proposal makes provision for this.

4.5.1.12 The majority view on floor crossing is uncomplicated. Floor crossing in itself is not necessarily undemocratic. The majority is, however, of the view that the basic principle should be that floor crossing, while it can be entirely appropriate in open list systems, is incompatible with closed list proportional representation. To the extent that a multi-member constituency system makes provision for a relatively small number of representatives of a constituency (as in the majority proposal where three to seven representatives would be elected) and they are known beforehand to voters, either through their names on a ballot paper or their photographs displayed during an election campaign, floor crossing could be considered, even in a closed list system. The guiding principle should be the degree of accessibility and responsiveness between voter and representative. There is a very real likelihood that floor crossing under the current system will distort proportionality as reflected in the previous election; it will also deprive parties of their right to replace defectors on their own party lists. In fact, it increases the distance between voter and representative. If the argument is that floor crossing is actually an interim manifestation of a shift in public opinion, then the best way to test this is by holding elections.

4.5.2 Timeframe and manner of implementation of the majority proposal

4.5.2.1 It is proposed that legislation be passed to establish multi-member constituencies which will elect 300 members of the National Assembly from closed constituency lists while 100 members will be designated from compensatory closed national lists to achieve overall proportionality. The legislation should provide criteria for

the demarcation of constituencies by the Municipal Demarcation Board (which is already performing functions other than those relating to municipal demarcation and which may require a name change) which will result in approximately 69 multi-member constituencies. The legislation will also provide for the submission of candidate lists and the introduction of constituency ballot papers in addition to a national ballot paper for the National Assembly and a provincial ballot paper for each provincial legislature. All other provisions in the legislation will, apart from some technical adjustments, correspond with the relevant provisions presently contained in Schedule 2 of the interim Constitution as amended by Annexure A to Schedule 6 of the Constitution.

4.5.2.2 Parliament cannot be expected to pass a new Electoral Systems Act much earlier than a year before the next national and provincial elections, which would leave very little time for political parties to adjust their processes for compiling candidate lists. While balloting and voter education should not present problems to the electorate, there will be little time to fully acquaint voters with the intentions and principles of the new system as part of a democracy education programme. *For the 2004 national and provincial elections, it is therefore proposed to retain the current situation of nine multi-member constituencies responsible for the election of 200 members of the National Assembly supplemented by an additional 200 members drawn from a national list.* It is, however, best to deal now with the question of an electoral system which will serve us beyond the next 18 months and to handle the immediate practical realities of the 2004 elections by means of transitional arrangements. To do otherwise would be to nullify the present effort and to start the debate afresh after the 2004 elections.

4.5.2.3 This timeframe and manner of implementation in no way represent a sudden break with the current electoral system. On the contrary, they encapsulate its central features in legislation and use them as the basis for a gradual and considered evolution towards a multi-

member constituency system. To the extent that an electoral system can make some contribution towards political accountability, this evolutionary process will assist in pursuing that objective. To insist that the current system not be explored for whatever contribution it can make toward accountability would be to abandon any possible relationship between accountability and an electoral system for the foreseeable future. The majority finds this unacceptable. This is particularly so since accountability and responsiveness feature in the founding provisions of the Constitution and can thus not be ignored.

4.5.3 Possible reservations/concerns about the majority view

4.5.3.1 The issue of treating provinces as multi-member constituencies

The argument has been advanced that a province is an entity in the form of a state and was never intended to be seen as a constituency. Whatever the intention may have been is irrelevant in the light of the definition of a region in the Constitution and the number of representatives that each region may provide for the National Assembly. Logically there is no reason why a “form of state” cannot be seen as a constituency for electoral purposes. Defining a region as the “territorial area of a province” from which candidates are elected on a list for the National Assembly is about as close to a universal definition of an electoral constituency as one can imagine.

4.5.3.2 The issue of simplicity

4.5.3.2.1 Concern has been raised that the majority proposal is too complex and would prove too costly. The response is that voters have become used to multi-balloting and to distinguishing between voting for individual candidates and for parties in municipal elections. Given that candidate lists would continue to be closed lists, the ballot papers for the 69-constituency option would remain exactly as they were in 1994 and 1999 and would include party names, emblems and leaders' photographs. The majority does not accept that costs would increase to any significant degree under the suggested new system.

- 4.5.3.2.2 The next point that has been raised concerns the compilation of candidate lists by political parties. Under the current system each has to compile nine constituency/regional lists which together contain no more than 200 names as well as a national list containing no more than 200 names. This approach does permit a global perspective for parties in respect of the allocation of positions to women, for instance. While the same total number of candidates would have to be nominated under the 69-constituency option, this would obviously have to be done on 69 separate constituency lists (300 names) and a national list containing no more than 100 names. To achieve the same results as with the current system would require careful planning on the part of political parties but there is no inherent reason why the result could not be as successful.
- 4.5.3.2.3 As to electoral administration, more ballot papers would have to be printed if constituency ballot papers were to be introduced. This would not necessarily increase costs if the ballot papers were to be similar in quality to those used in municipal elections rather than the full-colour sort used up to now in national and provincial elections. The electronic systems used for candidate nominations, ballot paper generation and result calculations would obviously also have to be adapted. Only adjustments, and not complete redesigns, would be required and these should present no major problems and not be overly expensive.
- 4.5.3.2.4 An important element of candidate lists is gender representation. The introduction of a prescribed gender quota was considered but there was not unity on its practicality. There was also a strong view that 50% of candidates should be women. This is a view which Parliament will have to consider. The recommendation at this stage is that each party must seek to ensure that at least 33% of the candidates on both the party national list and the combined constituency lists are women and that male and female candidates be as evenly distributed as possible throughout the party national list. This should apply regardless of which electoral system may be decided upon. (This recommendation is an advance on the legislative recommendation for municipal

elections, whereby 50% of list candidates [=25% of all candidates] should be women.)

4.5.3.3 The issue of stability

The point has been made that the 69-constituency option will create instability. It is not at all clear why this should necessarily be the case, particularly as it is proposed that this option should be phased in over a period of five years.

4.5.3.4 The issue of timing

This is a variation on the “if it ain’t broke – don’t fix it” position. The majority felt, however, that the time is indeed right for considered and carefully planned change in order to improve an already very good system. There is at present a constitutional, legislative and political opportunity to introduce an evolutionary path of transformation in the electoral system, with great potential benefits in allowing South Africans in both urban and rural areas to feel much more closely involved in the democratic process. That opportunity will not easily come again. This is the considered assessment of the majority, taking into account the political readiness of the population as demonstrated in surveys and interaction with stakeholders. There is never a perfect time to do everything necessary, but certainly it is preferable to do the best one can without being forced by circumstances of crisis and pressure.

4.5.4 Other factors to be considered apart from the core values

4.5.4.1 Participatory democracy

The current system does not lend itself to participation by the electorate in the selection of candidates. That is an inherent weakness in all systems using closed candidate lists, which include both the current system and (for the time being) the 69-constituency option. The difference is, however, that the current system does not lend itself to ever evolving into having open lists where the electorate may rank candidates according to preference, since the lists simply contain too many names for that to be practical. The 69-constituency option is, however, eminently suited to its candidate lists (three to seven names) becoming open lists when the time is ripe. In the meantime, the lists would be short enough, even though closed, for voters to get to know or identify the

candidates on the list for a particular constituency. This would contribute substantially towards participatory and representative democracy.

4.5.4.2 Systemic synergy

In view of the consequences at provincial level, it is significant that there are presently three different electoral systems for the three spheres of government. Each province is a single entity and that is problematic for local representation. The only way this can be addressed is to move to the 69-constituency option since that would introduce regional representation in provincial legislatures. It is important to note that constituency boundaries would not transcend provincial boundaries and that all constituencies would thus be contained within provinces. This would allow the same constituencies to be used for provincial elections as for national elections with only the number of representatives elected differing.

4.5.4.3 The size of the National Assembly

The Constitution provides for between 350 and 400 members of the National Assembly. In deciding on the number of seats, it should be borne in mind that the higher the number of representatives, the more likely it is that smaller parties will be represented. Given the emphasis on inclusiveness, a reduction in the number of seats is not proposed.

4.5.4.4 Residential qualifications

Imposing a residential qualification would be impractical and inhibit freedom to accommodate diversity (e.g. gender). The closer link between representatives and voters in the 69-constituency option, both before and after an election, should go some way towards resolving the issue.

4.5.5 Summary and conclusion

4.5.5.1 The nub of the majority view is that it is worthwhile to make legislative provision for an electoral system that can evolve towards a larger multi-membership constituency system with a compensatory national list. In order to facilitate accessibility and responsiveness between voter and representative, multi-member constituencies with between three and seven representatives in the National Assembly are envisaged. This would require approximately 69 multi-member constituencies to provide 300 representatives for the National

Assembly with 100 representatives allocated from national lists to restore overall proportionality. Both the constituency and national lists will be closed.

4.5.5.2 It is further proposed that as a transitional arrangement the current nine multi-member constituency system, with provinces as constituencies, be retained for the 2004 elections to provide 200 representatives, and that these be supplemented with 200 representatives elected by proportional representation from a closed national list. This in effect corresponds with the current electoral system. After the 2004 elections the Municipal Demarcation Board would demarcate constituencies to increase the current nine to approximately 69 multi-member constituencies.

4.5.5.3 The majority on the ETT is confident that this proposal does not offend against the core values of fairness, inclusiveness and simplicity characteristic of the current system, but uses the electoral principles already contained in the current system to strike a balance between accountability and the other core values. To the extent that an electoral system can make some contribution towards political accountability, the majority is satisfied that the proposed electoral system will do so demonstrably and effectively.

4.5.5.4 If nothing else, this proposal, if accepted, will keep an essential debate alive on the ways and means by which political accountability can be strengthened in the South African democracy. That this is necessary and important was seen as common cause by all the parties, NGOs and media representatives with whom the ETT interacted.

Members subscribing to the above views:

Dr F van Zyl Slabbert (Chairperson)

Nicholas Haysom

Norman du Plessis

Dr Wilmot James

Professor Jørgen Elklit

Adv Rufus Malatji

Professor Glenda Fick

Dren Nupen

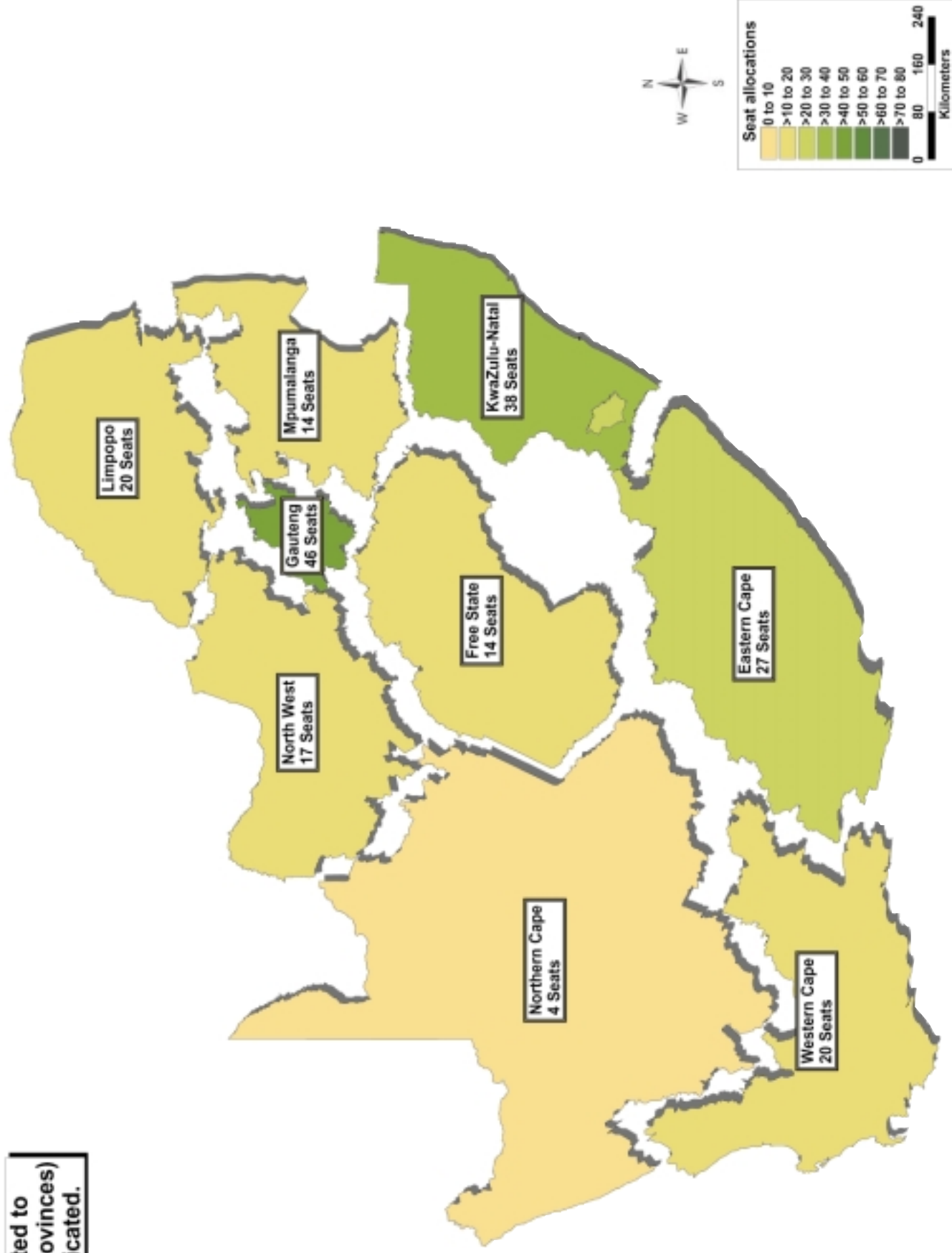
ANNEXURE A TO CHAPTER 4

**Graphic illustration of the
present and proposed
electoral systems:**

National Elections

**PRESENT SYSTEM; NATIONAL ASSEMBLY;
9 MULTI-MEMBER CONSTITUENCIES (200 SEATS) AND CLOSED NATIONAL LIST (200 SEATS)**

Seats are distributed to constituencies (provinces) as graphically indicated.



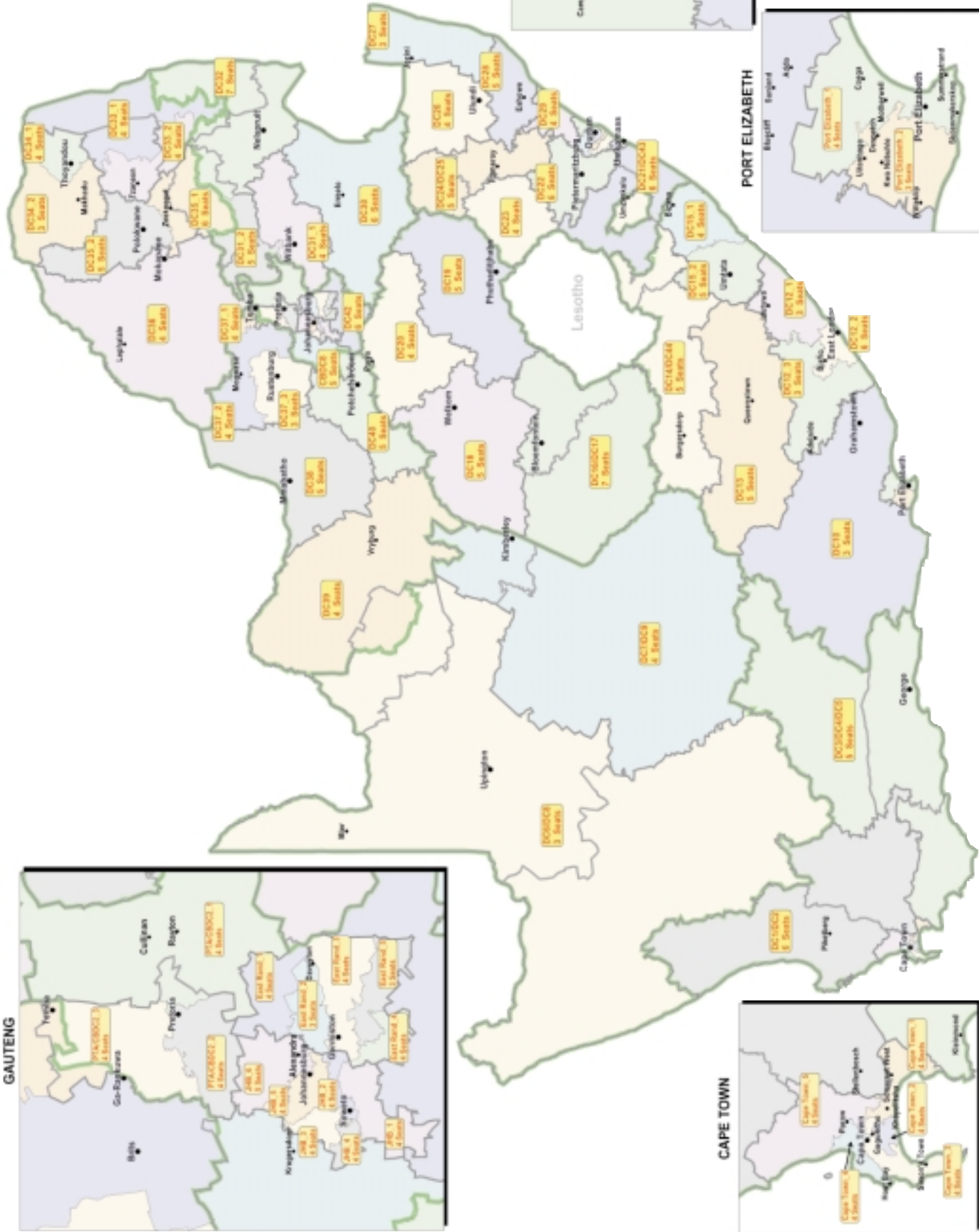
**PRESENT SYSTEM; NATIONAL ASSEMBLY: (1999 ACTUAL RESULT)
9 MULTI-MEMBER CONSTITUENCIES (200 SEATS) AND CLOSED NATIONAL LIST (200 SEATS)**

Party	Valid votes	% Valid votes	Regional seats (200)	National list seats (200)	Total seats (400)	% Overall seats	Variance
ACDP	228975	1.43%	3	3	6	1.50%	0.07%
ANC	10601330	66.35%	139	127	266	66.50%	0.15%
AEB	46292	0.29%	0	1	1	0.25%	-0.04%
AZAPO	27257	0.17%	0	1	1	0.25%	0.08%
DP	1527337	9.56%	20	18	38	9.50%	-0.06%
FA	86704	0.54%	0	2	2	0.50%	-0.04%
IFP	1371477	8.58%	18	16	34	8.50%	-0.08%
MF	48277	0.30%	1	0	1	0.25%	-0.05%
NNP	1098215	6.87%	13	15	28	7.00%	0.13%
PAC	113125	0.71%	0	3	3	0.75%	0.04%
GPGP	9193	0.06%	0	0	0	0.00%	-0.06%
SOPA	9062	0.06%	0	0	0	0.00%	-0.06%
UCDP	125280	0.78%	1	2	3	0.75%	-0.03%
UDM	546790	3.42%	5	9	14	3.50%	0.08%
VF/FF	127217	0.80%	0	3	3	0.75%	-0.05%
AITUP	10611	0.07%	0	0	0	0.00%	-0.07%
TOTAL	15977142	100%	200	200	400	100%	

PROPOSED SYSTEM; NATIONAL ASSEMBLY: 69 MULTI-MEMBER CONSTITUENCIES (300 SEATS) AND CLOSED NATIONAL LIST (100 SEATS)

Only intended as an illustration of a possible multi-member constituency electoral system

Seats are distributed to constituencies as graphically indicated.



LEGEND

- Constituency boundary
- Provincial boundary
- District council boundary

0 70 140 210
Kilometers

Registered voters: 18 119 439
Quota: 60 399



ANNEXURE B TO CHAPTER 4

**Graphic illustration of the
present and proposed
electoral systems:**

Provincial Elections