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**Op-ed**

# TOWARD AN INCLUSIVE ELECTORAL SYSTEM: RECLAIMING ACCOUNTABILITY WITHOUT REPRODUCING APARTHEID LINES

***By Nicola Bergsteedt***

*This op-ed was inspired by a conversation with Justice Albie Sachs, recorded for the "Constitutional Insights" series by the Inclusive Society Institute.*

We chose proportional representation to mirror the country we were becoming — and it worked. But the bargain left a gap: inclusion without a direct line to the people elected to serve us. Justice Albie Sachs argues it is time to complete the design we deferred.

South Africa's democratic miracle began by choosing inclusion first. In the early 1990s, the seemingly obvious route — small single-member constituencies where the top vote-getter takes the seat — was rejected. As Sachs recalls, that model distorts the national will and sidelines smaller voices. We adopted national proportional representation so the first Parliament would mirror the country in its full pluralism while drafting the Constitution. It succeeded: the centre held because everyone could see themselves in the room.

That inclusive choice came with a trade-off we promised to resolve later. PR tells us what South Africa thinks. It does not tell us who to call when the water runs brown or the clinic closes early. The hope was that party branches would nominate grounded local leaders onto national lists, keeping MPs answerable to communities. Politics took another course. Slates hardened, gatekeeping centralised and the shift to a mixed system — local representatives with a proportional top-up, as in Germany — never arrived. Incumbency did the rest. The system that delivers you power tends to be the system you defend.

The consequence is felt in households and ward meetings across the country. Voters want a name and a number, a door to knock on, and a person they can remove at the next election. They want accountability that is personal rather than distant or purely party-mediated, without sacrificing the inclusive representativity that was the moral triumph of 1994. Sachs's view keeps both imperatives in play: preserve the inclusiveness of PR while restoring genuine face-to-face accountability. As coalition politics deepen nationally and in metros, incentives not intentions will decide whether accountability is lived or lost.

We do not need to invent a solution from scratch. The Van Zyl Slabbert Commission — initiated by Parliament — offered a workable truce between fairness and presence. Keep overall proportionality so Parliament mirrors the national vote. Add direct representatives from constituencies large enough to avoid mapping today's politics onto yesterday's geography. That last point is not cosmetic. In a country where spatial apartheid still shapes where people live, tiny wards risk hardening identity silos — whites for whites, coloured communities for coloured candidates, Indians for Indians, townships

for townships. Larger multi-member constituencies push voters across old lines and reward coalition-building that looks like the country we are becoming rather than the map we inherited. Shrink the map and you do not just elect people — you elect the past.

Elegance must not defeat intelligibility. Our student politics flirted with the single transferable vote. On paper it offers fine-grained representation. In practice it can bewilder. In a society where symbols and leaders still orient many voters, a straightforward ballot — one vote for a constituency representative and one for a party — keeps the act of voting legible while allowing a compensatory top-up that aligns the final seat count with the national vote. Keep ballots legible in IEC materials and on mobile: one cross for a constituency MP and one for a party. Clarity in the booth, fairness in the House.

Electoral mechanics will not, on their own, remake public life. Accountability has to be felt between elections, not only asserted on election day. In Sachs's telling, the relationship between representatives and residents should be visible and routine. Constituency MPs should publish quarterly work reports — clinic days held, cases resolved, oversight questions filed — and hold advertised open meetings with minutes posted online and in local libraries. Parliamentary incentives should tilt toward showing up and serving, rewarding presence and responsiveness alongside party seniority. This is not micromanagement. It is democratic maintenance.

Sunlight should reach party lists too. If top-up lists remain, parties should open their ranking processes so branches and voters can see how names rise and have meaningful input. Transparent community-rooted selections audited by independent observers would broaden the talent pipeline beyond factional loyalists and signal that civic merit matters. The difference between a list that feels imposed and one that feels earned is the difference between cynicism and consent.

All of this has to sit inside a larger renewal of state capacity. Section 195 sets the standard: a professional, development-oriented public service. Electoral incentives should help make those values visible where people live. Rules cannot by themselves fix broken procurement, failing municipalities or the churn of mayoral politics. A continuity-minded administration that executes the basics regardless of who wears the chain of office is what makes representation meaningful. So would a permanent independent anti-corruption body with real investigative power and joined-up oversight with the Auditor-General and prosecutorial units. These are not distractions from electoral reform. They are the conditions that make electoral incentives bite. A named MP is only truly accountable if the state they oversee can act on the problems raised.

Why change rules when service delivery falters? Because incentives shape behaviour. A councillor or MP who knows their name — not only their party logo — will be on the ballot has a stronger reason to meet residents, respond to crises and lift local needs into national oversight. When refuse piles up in Nyanga or water cuts hit Gqeberha, voters need a name and a number, not a press release. Proportionality protects pluralism and pluralism protects the democratic centre against both authoritarian temptation and nihilistic fragmentation. Delay breeds cynicism. Reform restores the promise that public power is answerable to the public.

Calls to go back to small constituencies ignore our geography. Britain's system was built on a different map. Here, residential patterns still reflect apartheid planning. If we carve tiny wards, we risk turning the N1 and N2 fault lines into electoral boundaries. That would lock yesterday's divides into today's democracy.

A Sachs-inspired renewal is clear in practice. Keep PR to ensure national fairness. Introduce direct representation through large multi-member constituencies so every voter can identify a human being responsible for their area. Keep the ballot simple and legible in IEC formats. Open party lists to scrutiny

and community input. Rebuild routine measurable accountability between elections. Professionalise the public administration so elected representatives have a capable state to hold to account. Then reconvene a national good-faith process to implement these changes — recovering the collaborative ethos that once stretched from the University of the Western Cape's Community Law Centre to jurists around Potchefstroom, from wine-farm workshops to stuffy hotel halls in Hillbrow. We governed best when we argued in good faith with the country, not our factions, in mind.

The principle that animated 1994 remains sound: keep the tent wide. The unfinished task is to make sure the people inside can be found, named and, if necessary, replaced. That is not nostalgia. It is democratic hygiene. It honours the original bargain of inclusion while repairing the missing line of accountability that gives citizens a real lever between elections.

Inclusion without accountability breeds distance. Accountability without inclusion breeds injustice. South Africa needs both — by design, not by accident. Let us finish the second half of 1994.

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