



# opinion

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## EDITORIAL

### YEAR SINCE FIRST CASE OF COVID-19 IN SOUTH AFRICA

THIS month marks a year since the first case of Covid-19 was reported in KwaZulu-Natal from a man who had travelled to Italy.

Since then the government has been battling the virus and has started the vaccination programme.

Health Minister Zweli Mkhize said this week more than 83 000 health-care workers had been inoculated and more doses were on the way.

The vaccines have remained one of the major mechanisms to fight the virus that continues to mutate.

They have become and will continue to be the shield against Covid-19 until the virus is defeated.

Studies done have shown this and the government wants to ramp up efforts to contain its spread.

The government has targeted the end of the year to reach herd immunity. However, the fight is far from over, with scientists across the country continuing to work hard.

Science and Innovation Minister Blade Nzimande has committed that the department will pull out all the stops to build capacity for the country to develop its own vaccine for future pandemics.

With it being one year since the virus arrived, the work must now be on building capacity in public facilities to manage.

There have been many lessons learnt in the past year, and the government must not repeat them, including the looting of public funds meant for the poor.

But the lessons have also been how we have been managing the virus by sticking to the health protocols.

Despite the increasing number of deaths, the first and second waves have enabled South Africans to learn and understand the worst is not over yet.

This has been a year of tough choices and the government must not shy away from investing more resources into health to fight future pandemics.

In all the lessons learnt, key has been to obey health protocols. This will continue until the virus has been defeated.

But another tough year awaits with the future uncertain as the virus continues to wreak havoc.

The vaccines will continue to be the shield against Covid-19 until the virus has gone.

## COMMENT



DARYL SWANEPOEL

THE Constitutional Court, in June 2020, declared the current Electoral Act unconstitutional, since it does not allow for independent candidates to stand for election to national and provincial legislatures. It gave Parliament two years to remedy the defect.

To this end, the Inclusive Society Institute designed a proposed new electoral system that would respond to the court's ruling, but which would also remedy shortcomings under the existing pure proportional model.

It needed to:

- ◆ Accommodate independent candidates.
- ◆ Reflect, in general, proportionality.
- ◆ Require no amendments to the Constitution.
- ◆ Be simple for the Independent Electoral Commission to implement and for voters to understand.
- ◆ Promote gender parity, demographic and geographic inclusiveness, and representativity and improved accountability to the voter.

In essence, the institute needed to decide between:

- ◆ A winner-take-all, single-seat constituency approach.
- ◆ Simplistic proportional representation (PR).
- ◆ A hybrid model that accommodated constituencies, with a compensatory proportional list allowing for overall proportionality to be established.

The single-seat constituency approach was rejected as it would not make it possible for the outcome to reflect proportionality. It would also not accommodate sufficient diversity.

The simplistic PR model would, in turn, be impractical. Imagine the length of a ballot paper should, say, 100 independent candidates wish to stand nationally in addition to the 48 existing political parties. It would also not advance geographic representation and would do little to improve representativity and accountability to the voters.

Thus, the model proposed is a 400-seat National Assembly of which 300 are allocated to multi-member constituencies (MMCs) each comprising three to seven members. MMCs will be supplemented by a proportional list of 100 seats, which will be used to ensure overall proportionality in terms of the total number of votes cast for parties.

There will be two components to

the establishment of the legislature. The first would be representatives elected via 66 MMCs. The second component will comprise representatives elected via the compensatory PR list.

It's necessary to have at least three members per MMC to promote diversity within each MMC. But too large a number would be counterproductive in terms of promoting geographic representativity, or for bringing representatives closer to the electorate.

Accountability is strengthened when representatives are closer to the electorate. Knowing one's representative, and thereby having greater access to him/her, strengthens the voter/representative nexus. Thus, the maximum number of seats per MMC is suggested as seven.

MMCs will be demarcated along current district and metropolitan municipal lines. Where the number of voters within a district is too few to warrant at least three representatives, two or more districts can be added together. Where the number of voters within a metropolitan council are too many, MMCs can be allocated along sub-council or metropolitan regional lines. Each vote cast should carry equal weight. Therefore, in determining the borders of the MMCs, the total number of registered voters will be divided by 300 (the number of MMC seats), which results in a quota per seat.

There will be one ballot paper in each MMC, comprising the names of the parties, followed by the names of the independent candidates.

Parties will be permitted to nominate a number of candidates equal to the quota size of each MMC plus one. Prior to the election, the parties

and the IEC will publicise the names of all candidates so that the electorate will know the incumbents prior to exercising their votes.

The voter will cast a single vote for either the party or the independent candidate. Seats will be allocated proportionally, based on the number of votes received for each party or independent candidate.

Should an independent candidate receive enough votes to be elected, he or she will qualify. Party candidates are allocated in order of their appearance on the list for the party in the particular MMC.

Gender parity is promoted by requiring parties to alternate their candidates based on gender, that is man followed by woman, or vice versa, on the ballot paper. This will, however, be difficult to engineer among independent candidates, since they represent only themselves.

If independent candidates obtain more votes than required for election, the surplus votes are discarded, in that a single individual cannot be more than a single individual.

Thus, only parties will compete for seats on the compensatory PR lists. The combined number of votes received by a party, across all MMCs, determine its proportional share of the 400 parliamentary seats. This implies that parties receive an additional proportion of the excess votes forfeited by the independents. Parties could, therefore, be marginally advantaged. This is justified, in that absolute proportionality is not possible with the introduction of independent candidates, and thus a higher reliance will, by necessity, have to be placed on the notion of

general proportionality. Furthermore, it does not come at the expense of the independents, in that it does not diminish the legitimate claim that any one independent candidate may have, that is, him or herself represented in Parliament. Also, alternative remedies are available. Should the independent candidates wish to lay claim to the additional votes cast over and above that required to secure a single seat in the legislature, they could arrange themselves as a group, in reality a party, and register at the IEC as such.

The modelling exercise undertaken by the institute found that the proposed system does not negatively (or positively) impact any party. It shows that the existing power ratios between parties would be maintained. It also shows the geographic spread of seats, continuing to reflect the strongholds of the individual parties.

The model being proposed by the institute, therefore, not only gives effect to the constitutional requirement of accommodating individual candidates, but it also goes some way to address clear voter desires to be able to hold their representatives more accountable. It also does so in a way that the benefits attached to a PR team are not diminished in any way.

The system is fair, it is simple, and it serves the voter.

*Swanepoel is the CEO of the Inclusive Society Institute. This article is an extract of the institute's recently published report on a proposed new electoral system for SA. The report can be accessed at <https://drive.google.com/file/d/1EeTtWcxS4rONnXK2WuFHTfArsaoDwkyR/view>*

AS OF this week, six of the more than 60 books published by the globally recognised author of children's books, Dr Seuss, will not be published any longer.

The six titles are cancelled due to images that portray several characters in racist and xenophobic ways – portraying black characters as savages and servants, Chinese ones with slit eyes, hunting exotic animals, and with children in the stories more often than not depicted only as white.

The decision reportedly was taken as a first step to be more inclusive of all children and communities and rid Dr Seuss of historical biases – a project to keep the author's work relevant to current times and new social realities.

Critics were quick to challenge the decision as an instance of cancel culture, rather than an authentic attempt to correct wrongs, as the publishers claimed.

Gaining major momentum internationally, and also locally, "cancel culture" in the first instance refers to the popular practice by social media users to publicly denounce, humiliate and withdraw support from a public figure or organisation.



A WOMAN gets her thumb marked to show that she has voted. South Africa's electoral system is in need of a thorough overhaul, says the writer. | BRENDAN MAGAAR African News Agency (ANA)

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## THE BUYS-LINE



RUDI BUYS

However, the practice has become a quick method to call out any type of offensive behaviour and mobilise social media groups to discredit the person or people associated with problematic incidents.

It's become a tool for political action, either with ignorance or intentionally, first by selecting and highlighting a particular image or storyline that showcases an offence to social norms – "calling out".

Then follows "dragging", which are the insults and humiliation directed at the target, which flows into full-out cancelling.

Read only in terms of these projects that it employs to discredit those

guilty of offence, cancel culture seems a particularly vicious response to social dynamics. Not so when one considers the argument for its role as a citizen practice to counter social injustices that continue to beset societies.

Cancel culture in this perspective is taken as a current-day version of mass mobilisation, boycotting and divestment – political projects widely used to disrupt oppression, as also in the struggle against apartheid.

As was the case then, so goes the argument, cancel culture today provides the means for marginalised communities to build a counter-voice and new imagination for the public spaces in society. As a digitised form of protest, cancel culture, for citizens with little access to change public discourses, offers a sense of an activists' collective and disrupts the societal image of who holds power in public.

Opponents of cancel culture argue that its practices of cancelling represent a fundamental challenge to the freedom of speech, but rather ensure that public discourses and spaces increasingly are marked by distrust and anxiety – people and their collectives

are ever more fearful of the threat of being cancelled by the gaze of the unknown citizen of social media.

Cancel culture, so goes the argument, de-contextualises incidents and conduct, as much as it does the people at the centre of its campaigns.

It provides no definitions of its terminologies and accusations, and offers no space for the contest of ideas.

Most critically, it only cancels, it does not offer real solutions to fundamentally transform unjust realities.

Whether arguing for or against its merits, one way to make sense of the sociological realities that underpin cancel culture is to read it as a struggle with the ghosts of the past – a "theory of hauntology".

Hauntology refers to the ways wherein the legacies of our past return to the present in our struggles for justice. Much in the same way as the portrayals of the other by Theodor Seuss Geisel, now long dead, still rule from beyond the grave.

*Buys is executive dean of Cornerstone Institute and editor of the African Journal of Non-profit Higher Education*

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