

## **ABSTRACT**

### **PEOPLE'S DEMOCRACY VERSUS GOVERNMENT'S DEMOCRACY: LESSONS FROM PROVINCIAL BOUNDARY DISPUTES IN THE POST-APARTHEID SOUTH AFRICA**

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On 22 April 2009, South Africa held its fourth democratic election which has been celebrated as the most significant since 1994. As a result of this watershed election, the dominant ruling party, ANC has lost its two-third majority in the national parliament; the opposition party, the Democratic Alliance (DA), has captured the Western Cape that used to be ruled by the ANC; and the new break-away party Congress of the People (COPE) has succeeded to secure the position of the second opposition party in the country and the first opposition party in four provinces. In this context, it is opportune to explore whether democratic governance is consolidating in South Africa.

Scholars have often approached this question with a special focus on whether state institutions respect the rule of law as enshrined in the South African progressive Constitution. Other researchers approach this inquiry by mostly looking at whether parties' manifestos and support bases as well as voters' choice shift from racial and ethnic clusters engineered by the Apartheid regime. This paper takes a different approach to the question of democratic consolidation in South Africa. Drawing from qualitative data collected in three local communities that have clashed with the national government over their provincial location, the research investigates the extent to which democratic governance has been adhered to by communities as well as by the government. Post apartheid provincial boundary disputes in Bushbuckridge, in Khutsong, and in Matatiele provide us with a unique opportunity to assess the quality of the consolidation of democratic governance in South Africa.

The paper argues that provincial boundary disputes have erupted as a result of conflicting conceptions of democratic governance between local communities and the national government. It further argues that even the basic constitutional requirement of democratic consultation of the people likely to be affected by important government decisions has been carried out in bad faith by the ANC dominated government. It follows that democratic consolidation in South Africa is dependant upon the harmonization between the conception of democracy contained in the Freedom Charter and the one enshrined in the Constitution. Constitutional requirement of public involvement in important government decisions needs to be reinvigorated in such a way that it ceases to be a mere formality.