



## The Government of National Unity

### 1. Introduction

Whether one calls it a government of national unity (which it isn't really, since the third and fourth largest parties, accounting for nearly a quarter of the vote, are not in it) or a grand coalition (which it is, given that no less than eleven parties are participating), the administration announced by Cyril Ramaphosa on 30<sup>th</sup> June constitutes the most significant development in our democratic politics since 1994.

It is also, in its gestation and delivery, a mini version of what happened in the years leading up to the 1994 elections. Cautious approaches, followed by apparent agreement, followed by disputes and threats to walk away; parties at first declining to participate and then joining; horse-trading about positions and portfolios; media and commentators all the while opining, or just guessing, on the basis of very little clear information; 'private' communications being leaked. And all of it leading to another round of negotiation followed, ultimately, by an agreement that has left no one completely happy or too seriously unhappy.

And, like the 1994 transition, the fact that it happened outweighs, for the moment, the details of its composition and the distribution of its offices. No one knew, 30 years ago, how long the new multi-party, constitutional democracy would survive; and neither do we know now how long this novel unification of fierce rivals will last. There will certainly be difficult periods, and probably threats of withdrawal and collapse, but hopefully the two main parties, which have both invested so much and made such far-reaching compromises, will find a way of working together until the next election. If they do, it will augur well for the entrenchment of democracy for another 30 years.

This paper considers some of the key aspects of the new dispensation: the division of power and influence among the parties; the further growth of the executive branch; how opposing policies can be accommodated; and the question of trust, or the lack of it.

### 2. Winners and Losers

It was clear in the days running up to the final announcement that the DA wanted more ministerial posts than the six it eventually got. By any arithmetic this is a distinct under-representation: it earned just over half the votes and seats that the ANC achieved (21.8 per cent against 40.2 per cent), but has less than one third the number of cabinet portfolios (ANC = 20 ministers, plus President and Deputy-President). At deputy minister level the discrepancy is even worse, with the ANC having no fewer than 32 posts against the DA's six.

This reflects two things, at least. One, that the DA was either so determined to 'rescue' the country, by preventing an ANC/EFF/MK tie-up, or so desperate to grab onto power, that it was prepared to accept far less than its numerical due. (Whether one sees it as determination or as desperation depends largely on one's feelings for the party.) Two, that the ANC still sees government positions as being within its gift, even though it has lost its majority.

The ANC can certainly argue that, as the biggest party by far, and as the party that initiated the idea of a GNU, it was entitled to make the running – to invite others to participate, yes, but primarily on its terms. This was evident, for example, in the clear understanding from the beginning that such posts as finance, police, foreign affairs and defence would not be on offer to any of the junior partners. However, it is one thing for the biggest party to keep key portfolios

for itself, and another thing entirely for it to grab a disproportionate share of the minor portfolios as well. The distribution can also not be squared with the Statement of Intent<sup>1</sup> signed by the GNU parties, clause 16 of which states the cabinet must be constituted “broadly taking into account the number of seats parties have in the National Assembly...”.

If the DA can feel hard done by in terms of numbers, most of the other parties should be content. The IFP’s two ministries and two deputy ministries are in line with the fact that it won just less than a tenth of the ANC’s votes. For the rest, the numbers of parliamentary seats are so small that it becomes almost impossible to match them proportionately to executive positions – no one can be a quarter of a cabinet minister – though the veteran Bantu Holomisa, whose UDM took more votes than the PAC and GOOD combined, might be a little disappointed in seeing the leaders of those two parties in cabinet while he has to be content with a deputy’s position.

### 3. Ministerial Allocations<sup>2</sup>

Of course, the bare number of ministerial and deputy ministerial positions isn’t the full story – the importance and status of the portfolios also matters. Here, the picture is different, with the DA occupying Home Affairs, generally regarded as one of the senior portfolios, as well as Basic Education, which has the biggest budget of any department. Both these ministries have the potential to make major impacts in the lives of SA citizens, and both are in dire need of a shake-up. The same is true of Public Works, a department which is often blamed for being an obstacle, rather than a spur, to economic growth and infrastructural development. The other three DA ministries are also important ones for the economy, and offer scope for imaginative and innovative ministers – whether they now have them, only time will tell.

The IFP also has two fairly important, and ‘hot potato’, portfolios, in Co-operative Governance & Traditional Affairs, and Public Service & Administration – dealing with collapsing local municipalities, disgruntled traditional leaders, and the annual public sector wage negotiations is certainly not an easy set of tasks. For the rest, Patricia de Lille (Good Party) keeps Tourism, a job which the industry seems to feel she did well in the previous administration; Gayton Mckenzie (Patriotic Alliance) has been given Sport, Arts

and Culture, in at least one of which he can exercise his undoubted charisma; the Freedom Front Plus’s Pieter Groenewald gets Correctional Services; and Mzwanele Nyhontso of the Pan Africanist Congress is Minister of Land Reform and Rural Development.

This last appointment, and that of Ms de Lille, allow President Ramaphosa to argue that the GNU partners are not all ideologically to the right of the ANC – but they also highlight what will likely turn out to be one the GNU’s enduring challenges: policy divergences.

### 4. Finding Consensus

Although there are ANC ministers, DA ministers, IFP ministers and so on, there are no ANC, DA or IFP ministries – there is one government, all ministries fall under it, and any ministry’s major policy decisions will have to be approved by cabinet as a whole. Ideally, that approval will be reached by consensus (clause 18 of the Statement of Intent), but if that is not possible ‘sufficient consensus’ (clause 19) will be required. This is defined as a situation in which “parties to the GNU representing 60% of seats in the National Assembly agree...”

In practice, since neither the ANC nor the DA can reach the 60 per cent mark with the help of only the smaller parties in the GNU, this means that the two big parties will have to agree if ‘sufficient consensus’ is to be achieved. One can foresee serious problems arising from this. For example, what will happen when the matter under consideration is one on which the ANC and the DA have strongly opposed views – the National Health Insurance scheme, cadre deployment, the current system of black economic empowerment, for example? Only by making massive compromises, amounting to policy u-turns, will they be able to reach consensus on such issues.

Admittedly, clause 20 of the Statement of Intent does say that “parties shall also establish dispute resolution or deadlock breaking mechanisms, in instances where sufficient consensus is not reached”, but as yet there is no indication of what such mechanisms will be, or how they will work.

The situation has not been helped by recent attempts to clarify how policy differences will be accommodated. Minister in the Presidency Khumbudzo Ntshavheni is reported as saying that “government’s priorities and programme of action as articulated in the medium-term strate-

gic framework (MTSF) would be guided by the election manifesto of the governing party. “In this case of the GNU, there will be governing parties, and the choice of priorities will be multiple according to the manifestos.”<sup>3</sup> This points to the key problem – when there was the governing party there was only one set of policies and priorities; but now that there are multiple governing parties, there is also a multiplicity of policies and priorities, some of which are incompatible with others – think of the PA’s uncompromising anti-(illegal) foreigner stance, for instance. It simply cannot be reconciled with the somewhat more welcoming policies of the ANC and the DA.

Further confusion stems from the ANC Secretary General’s remarks to the effect that “existing government policies remain in effect without exception” and that this somehow flows from clause 19.3 of the Statement of Intent.<sup>4</sup> It may well be that existing government – for which read ANC – policies remain in force for now, and that ministers belonging to other parties cannot unilaterally change them, but it cannot mean that the policies of the sixth administration, which were underpinned by the ANC’s then outright majority, can now become the default position and remain in effect indefinitely. If the GNU is to work properly there will have to be a high level of preparedness on all sides (but practically speaking, because of their size, on the part of the ANC and the DA) to debate all their policy positions openly, without any of them being taken for granted or as written in stone.

The DA strategist Ryan Coetzee has put forward some ideas on how a ‘policy agenda’ could be developed. Firstly, policies on which there is already agreement should be implemented without delay; he believes there are a number of these. Secondly, there are policies on which compromise can be achieved by a ‘split the difference’ or meeting halfway approach; matters of expenditure, budgeting and borrowing fall into this category. Thirdly, there are policies where compromise is not reachable. “On these, there needs to be a trade. If the ANC goes along with a DA policy in one area, it might expect the DA to go along with it in other areas, and so on. Here, the DA has to accept that it will get fewer of its policies, while the ANC has to accept that it can’t have every policy choice go its way.”<sup>5</sup> It is very largely on the basis of such acceptances that the future of the GNU will depend.

## 5. Government Bloat

We now have the largest executive in the country’s history – 32 ministers and no less than 43 deputy ministers, plus the President and the Deputy President. By contrast, the GNU inaugurated after the 1994 elections consisted of 27 ministers and only 13 deputies. It can certainly not be argued that the demands on that government were so much less urgent or extensive than they are now.

The simple fact – acknowledged by President Ramaphosa himself on various occasions – is that the executive has grown steadily as a result of the former governing party’s tendency to use government posts to further patronage and to satisfy the competing demands of its myriad internal constituencies. The advent of the GNU has unfortunately entrenched, rather than reversed, that tendency.

The problem is that the ANC still sees government posts – and the taxpayers’ money that funds them – as instruments for it to advance its internal party interests. This is clear from the disingenuous defence of the bloated cabinet offered by Minister Ntshavheni, who essentially blamed it on the voters:

“The electorate chose an outcome that landed us in a Government of National Unity and there’s the need for inclusivity. So the electorate will also have to accept the responsibility that they gave us... “As the president indicated he had wanted to reduce the number of portfolios, but when his political party did not get an outright majority and has to work with everybody else, he had to ensure everybody has to be included because it can be a government of national unity which is not inclusive of other parties to the statement of intent. So there is a cost to the electoral outcome...”<sup>6</sup>

This explanation only makes sense if you believe that the ANC is entitled to have a certain minimum number of ministers and deputies. If so, then the addition of the GNU partners will clearly result in a bigger executive. The fallacy, of course, is that there is no such entitlement. The ANC could and should have reduced its number of government seats (in line with its much-reduced share of the vote) and thereby accommodated the incoming partners in a cabinet no larger than it was before. It may be commendable that the ANC has a policy of ensuring

that all its many constituent elements – geographical, linguistic, gender, ideological, etc. – are represented in its structures, but it doesn't have the right to use public money to advance that agenda.

But there is another likely explanation for the decision to enlarge cabinet, and that is to ensure that the ANC members comfortably outnumber the rest – which they do, by 20 to 12. If it had been kept the same size, and drawn up on more accurately proportional lines, that ratio would have been a lot closer. This is important because, for all that cabinet decisions are supposed to be made by consensus, there are times when matters come to vote.

No one knows exactly what such a huge executive is going to cost, but Minister Ntshavheni herself noted that “in the 6th administration it cost the government a R1 billion per annum, if not just slightly more for ministers and deputy ministers and DGs and everybody to attend to portfolio committees and parliamentary work in Cape Town”.<sup>7</sup> According to Action SA's Herman Mashaba, the salary component of the ministers and deputies will come to R183 million a year, but associated costs – perks, housing, cars, staff, bodyguards – will take it to over R1 billion.

It will be interesting to see how the GNU partners deal with these issues. They have a golden opportunity to set a more modest tone when it comes to the consumption of public resources – cars, residences, support staff, travel allowances, etc., and to show that they, at least, take the idea of a more cost-effective government seriously.

## **6. Building Trust**

The disputes and arguments, and accusations of bad faith, that occurred during the run-up to the announcement of the GNU demonstrate that the various parties have some way to go before their relationships can be said to be stable and well-grounded. This applies particularly to the ANC and the DA, which have spent most of the last 30 years as each other's biggest rivals, and which have grown used to attacking each other almost as a matter of course. But it also involves the smaller parties.

For example, how will the PAC's Mr Nyhontso and the DA's Mr Steenhuisen find a way to work together in their overlapping portfolios of land reform, rural development and agriculture? How will the Freedom Front's Dr Groenewald, a one-

time staunch upholder of apartheid, work in the security cluster where all the other ministers are from the ANC? The same question can be asked of the various pairings of ministers from one party with deputies drawn from another.

The key element in all this is trust; or the lack of it. Every minister and deputy minister has sworn the same oath to serve South Africa, to uphold its Constitution, and to abide by its laws. Taken seriously, that ought to be enough to establish trust and a high degree of goodwill between them; but we know that it isn't that simple. There will be much circling and suspicion, perspectives and understandings will differ, and our long history of enforced disunity will make itself felt in many ways.

The German Ambassador to South Africa, Andreas Peschke, recently offered some lessons from his country's long experience of coalition governments. One manner in which trust can be built, according to Dr Peschke, is through transparency: “Especially in situations where parties come to work together that may not have envisaged this before, it may be useful to put any result of coalition negotiations into writing – and to make this agreement available to the public.”<sup>8</sup> This is a step that has not yet been fully implemented in our new situation. The Statement of Intent has not been made into a formal, binding and public agreement.

A lot will depend on leadership and, once again, it is the leaders of the two largest parties who will have to develop a strong relationship with each other. There were signs of this in the weeks of negotiations. Although Mr Ramaphosa and Mr Steenhuisen exchanged accusatory letters, their face to face meetings seem to have gone well, and finally resulted in the agreement we now have. Earlier in his career, when he was responsible for shepherding the creation of the Constitution, Mr Ramaphosa showed himself adept at dealing with people from diverse backgrounds and ideologies, and at getting them to work together towards an overarching goal. That experience should stand him in good stead now. And the moderate and mature influence of the IFP's Mr Hlabisa will also help if the two main protagonists cannot find each other from time to time.

## **7. Conclusion**

We must be prepared for setbacks and bickering. The inevitable disagreements will not all be kept

inside the four walls of the cabinet room. Those filled with reforming zeal will tend to see laziness and incompetence at every turn, while some experienced ministers will resent being shown up by energetic newbies. More worryingly, it is clear that not everyone in the leadership of the ANC, and possibly also some elements of the DA, necessarily wants the GNU to succeed. They will be ready to exploit and magnify any cracks that appear. And, while President Ramaphosa's position is probably safe until the 2026 local government elections, after that point he will be the proverbial dead man walking – he cannot serve another term as President, and will

likely be replaced soon after the party's five-yearly conference at the end of 2027, if not before. If, as seems likely now, he is succeeded by Paul Mashatile, the current Deputy President, the GNU could find itself with a very different kind of leader, and on shaky ground.

But that is all for the future. For now we should welcome what has been achieved and recognize that it is another important step on the journey of transforming and rebuilding our society, a maturing of our democracy, and potentially the beginning of a lasting phase of governance for the common good. It deserves to be supported.

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**Mike Pothier**  
**Programme Manager**  
[mike@cplo.org.za](mailto:mike@cplo.org.za)

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1 [https://cisp.cachefly.net/assets/articles/attachments/93080\\_gnu\\_statement\\_of\\_intent\\_and\\_modalities\\_14\\_june\\_2024.pdf](https://cisp.cachefly.net/assets/articles/attachments/93080_gnu_statement_of_intent_and_modalities_14_june_2024.pdf)

2 A full listing of all Ministers and Deputy Ministers can be found here: <https://www.dailymaverick.co.za/article/2024-07-01-very-big-very-bloated-but-will-the-government-of-national-unity-cabinet-be-better/>

3 <https://www.news24.com/citypress/politics/government-lays-down-the-law-on-whose-policy-the-gnu-must-implement-20240704>

4 <https://www.news24.com/news24/politics/existing-government-policies-remain-in-effect-without-exception-anc-clarifies-gnu-policy-20240704>

5 <https://www.news24.com/news24/opinions/columnists/guestcolumn/opinion-ryan-coetzee-power-sharing-in-practice-painful-sacrifice-on-the-cards-for-anc-and-da-20240701>

6 <https://www.iol.co.za/business-report/economy/taxpayers-to-foot-bill-of-expanded-cabinet-ntshavheni-818462f5-7c61-451f-9a3e-148484ace88c>

7 *ibid*

8 [https://southafrica.diplo.de/sa-en/04\\_News/-/2652424](https://southafrica.diplo.de/sa-en/04_News/-/2652424)



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