

➤ **Column** Corruption – A social disease • Part 156

Paradigm shift: Political representation and separation of powers

During an election year, it is appropriate to focus on systems representing voters in parliament.

We use a presidential system to elect a president. The president has an almost omnipotent powerful position and appoints cabinet at his sole discretion. Cabinet is firstly accountable to the president and secondly to senior party members.

Cabinet members cannot be held accountable by the voters, not even by parliament. All cabinet members sit in parliament. They are both executive and legislative members.

More than half of parliament consists of cabinet members appointed only by the president. The legislative is dominated by the executive (Keyter). They receive instructions from the president to execute the laws which they make in parliament, vote for and budget for.

Such a compromised system is making a mockery of the separation of executive and legislative powers. Parliament is representing the president and operating in his interest and not the people of Namibia. Our political representative system is flawed and we have a "flawed democracy" (The Economic Intelligence Unit).

EXCLUDING CABINET FROM PARLIAMENT

We need a system that has a clearer separation of powers between the legislative and executive as argued by Montesquieu.

Although Namibia has a unitary system with a single central government and not a federal system, it is possible to exclude cabinet members

from parliament. Such a change will allow cabinet members to spend more time on implementing legislation. As a by-product of such a change, it will be much easier to form a quorum in parliament.

DIRECT REPRESENTATION

For electing members of the National Assembly the whole of Namibia is one constituency and voters can only vote for political parties and not parliamentary candidates. Voters have no say who is eligible to represent them in the National Assembly. In effect, only senior party members decide unilaterally who represent voters. This system is the bounded list system (Gildenhuys & Knipe). The effect is that Members of Parliament (MPs) are more accountable to their parties and a small number of senior politicians, than to party members. Those on the party list, if elected, represents the whole Namibia and no one in voter in particular. If a voter has no say in deciding on who can be on the ballot paper to represent the party: How can such a candidate represent that voter in parliament? How can a parliamentarian be knowledgeable about a specific voters' challenges? Namibia uses a quota system to determine if a party has a representative in parliament. The number of votes cast is divided by the number of parliamentary seats plus one (Gildenhuys & Knipe), by implication $96 + 1$, which is a quota of votes. If a party has a quota, it has one representative in parliament. Remaining votes cast for a party are then

transferred to the second candidate on the party list to determine if that candidate has a quota to represent the party in parliament.

Because all candidates in parliament represents no one in particular, such a system encourages apathy of voters and cultivates the forming of small parties. Only a relative small number of aggregated votes cast all over Namibia is required to get elected as MP, access to numerous perks and a pension for life.

ACCOUNTABILITY

Namibia needs a system where voters can hold MPs accountable, candidates that are not determined by party "gate keepers", but by voters at consti-

tuency level.

A parliamentary system is much more democratic to represent voters in parliament. A political party has less control over MPs and voters can hold such MPs much more accountable at constituency level. It reduces corruption and inertia in party politics and increases participation in party and national politics as well as control by voters.

From the discussion, it is possible to make a few deductions. The political representative system to elect MPs represents only political parties on ballot papers. Candidates on party lists are solely determined by a

minute number of senior party members. No MP is representing any particular voter.

Such a system demonstrates serious undemocratic characteristics. Namibia needs a free list system where party members decide who is on a party list to compete in a party to represent such a party on the ballot paper. Voters should have the choice to change the priority order of candidates on the ballot paper and even write in the name of a candidate twice, e.g. Switzerland.

Cabinet is appointed only and solely by the president, and members are neither accountable to parliament nor the voter. Such a system can be described as undemocratic and flawed.

Namibian voters need a parliamentary system as described. Cabinet members should not sit in parliament. It makes a mockery of public accountability and the so called separation of the legal and executive powers which is a legalised system for political abuse.

References

Keyter, C.A., Schwella, E., Coetzee, J.J., Sazita, V.N., Lwendo, S.B., Maritz, Y., Thomas, E., & Olivier, A. 2018. Namibia Governance: A Public Administration and Management Perspective. Cape Town: Juta.

Economic Intelligence Unit. 2012. Democracy Index 2011.

Gildenhuys, J.S.H. & Knipe, A. 2000. The Organisation of Government: An Introduction. Pretoria: Van Schaik Publishers.



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