

**AFRICAN CHRISTIAN DEMOCRATIC PARTY
SUBMISSION TO THE CONSTITUTIONAL ASSEMBLY
THEME COMMITTEE 6.1**

ELECTORAL COMMISSION

The true character and legitimacy of a system of government is found in the principles enshrined in the democratic ideal where the population is guaranteed the right to a regular, free and fair election process.

The will and maturity of the people is established when it is recognised that authority is democratically administered by the people. However, to exercise their authority responsibly and legitimately, the population need mechanisms to facilitate the process.

Democracy is enigmatic and contradictory by nature. It invariably occurs that good citizens give their support to presumably frustrating leadership, only to realise that once in position of power, the stature and public confidence of these leaders diminish, and that the people are, in turn, having to call for their removal.

Unfortunately in the majority of instances, those who possess outstanding moral leadership qualities are often found to be among the governed than being the governors.

As this seems to be the precarious position of the democratic process, and a principle rather to tolerate than to discard for something less flexible, we express our faith in the morality of suffrage, and believe that the electoral procedure is best managed by a trusted election body, such as an election commission.

ELECTION COMMISSION

The ACDP supports the idea that an election commission should be independent and representative.

We regard the status of independence as significant in that all political parties and institutions are insured of equal standing, as well as it protects against philandering and favouritism.

It is also necessary that the election commission be representative, reflecting a character of population participation.

We further believe it to be advisable to view the election commission as a permanent structure of society with limited functions during non-election periods, dealing with issues on an advisory and analytical level.

The election commission should adopt a strict code of principles, which will outline their position on transparency, legitimacy, impartiality/non-partisanship, efficiency etc.

It should also adopt a strict ethical finance policy. It should further operate on administratively correct guidelines and demand respect from the general public.

The election commission should be in close working relationship with the various local government authorities in order to ascertain demographic changes and to assist where necessary with the upkeep of voter registration and voters roll administration.

The election commission can be incorporated into a statutory body, to provide judiciary weight to their function.

As it was the tradition of the past that the election process was handled by the department of Home Affairs to ensure efficiency and availability of resources, this may continue to be so, but that a greater involvement be supplied to the election commission within these structures.

We further are of the opinion that an independent election commission should have recourse to an independent media commission.

POSTSCRIPT

We must at all times strive to govern with integrity, yet should we not have been able to accomplish much, may we at least be able to say we've passed the test that has been put before us as expressed by the following extract:

"What do you expect from society and its government? We must be clear about that.
Do you wish to raise mankind to an elevated and generous view of the things of this world?
Do you want to inspire men with a certain scorn of material goods? Do you hope to engender deep convictions and prepare the way for acts of profound devotion?
Are you concerned with refining mores, elevating manners, and causing the arts to blossom?
Do you desire poetry, renown and glory?
Do you set out to organise a nation so that it will have a powerful influence over all others?
Do you expect it to attempt great enterprises and, whatever by the result of its efforts, to leave a great mark on history?
If in your view that should be the main object of men in society, do not support democratic government, it surely will not lead you to that goal
But if you think it profitable to turn man's intellectual and moral activity toward the necessities of physical life and use them to produce well-being, if you think that reason is more use to men than genius, if your object is not to create heroic virtues but rather tranquil habits, if you would rather contemplate vices than crimes and prefer fewer transgressions at

the cost of fewer splendid deeds, if in place of a brilliant society you are content to live in one that is prosperous, and finally, if in your view the main object of government is not to achieve the greatest strength or glory for the nation as a whole but to provide for every individual therein the utmost well-being, protecting his as far as possible from all afflictions, then it is good to make conditions equal and to establish a democratic government.

But if there is not time left to make a choice, and if a force beyond human control is already carrying you along regardless of your desires toward one these types of government, then at least seek to derive from it all the good that it can do; understanding its good instincts as well as its evil inclinations, try to restrain the latter and promote the former."

(see De Tocqueville, *Democracy in America*; p226)