

# The African National Congress (ANC) and the Cadre Deployment Policy in the Post-Apartheid South Africa: A Product of Democratic Centralisation or a Recipe for a Constitutional Crisis?

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**ABSTRACT** The cadre deployment policy has been implemented by the African National Congress (ANC) and its alliance partners in pursuit of its avowed intention to have loyal party hands on all the levers of power in government. The present paper finds out that although the policy is justified by the ANC, it has attracted criticism from those who believe that its implementation has been exposed to abuse by some ANC officials. While certain deployed cadres in public administration are able to function at an acceptable level, it is argued that in some instances far too many are there to do the bidding of the cadre deployment committee that appointed them to national, provincial or local-level positions. However, it is worth noting that historians and political scientists alike contend that this undermines the accountability structures in the public service. Further, this paper avers that deployed cadres who succeed do so despite their deployment, not because of it. There are a number of arguments stating that the implementation of a cadre deployment policy by the ANC is an attempt to centralise democratic powers within the ruling party. In conclusion, the paper attempts to provide a historical analysis of this policy in the 20-year rule of the ANC in South Africa.

## INTRODUCTION

Deployment of ANC cadres in strategic positions played an important role in the ANC's taking control of the post-liberation state. In South Africa's post 1994 constitutional democracy, the ANC dominated tripartite alliance has consistently utilised the practice of cadre deployment in public administration. At present the ANC, the South African Communist Party (SACP) and the Congress of South African Trade Unions (COSATU) co-operate closely, albeit somewhat fractiously, at all levels of government. Many senior civil servants are overtly members of the ANC and help keep its structures in place by running branches and canvassing support for ANC policies in their spare time. The paper contends that cadre deployment can work, provided competent cadres are chosen with due regard for the conflict of interest this might create. It is worth noting that popular trust and loyalty are key phenomena that give the ANC and government the sustainability of cadre deployment processes. Interestingly, the ANC is unapologetic about the implementation of this policy amidst criticisms from the opposition par-

ties and some of the organisation's disgruntled members. In fairness, there was a time when transforming institutions at local and national level was a monumental task, which had to be accelerated to give visible effect to the democratisation of South African society. The ANC felt, in many cases justifiably, that intervention through cadre deployment would be acting against any possible sabotage by the opposition parties. The best way to neutralise this threat was to install loyal party members who could, at least, be trusted politically. However, it was unfortunate that some members compromised the legitimacy of the cadre deployment policy as envisaged by the ANC.

## Research Questions

Research questions for this paper are stated as follows: What are the perceptions held by the public on the issue of cadre deployment, particularly those who are not beneficiaries or members of the ANC? Has the cadre deployment policy had prejudicial consequences for the promotion of constitutionalism? What are the chances in future by the ANC to modernise

or adapt the policy to be accepted by the majority of the South African citizenry?

### **Aims and Objectives**

The present paper has emerged from a broad research study, the main aim and objective of the paper is to explore the challenges experienced by the ANC as the ruling party in South Africa. Within the broader perspectives on the ANC's challenges in its 20 years of democratic rule in South Africa, criticisms levelled against it have included the implementation of the cadre deployment policy. In one way or another, this policy has been dubbed by the opposition parties as a 'job for friends' scheme introduced by the ANC under the pretext of good governance.

### **RESEARCH METHODOLOGY**

In the paper, the qualitative approach is dominant. The qualitative approach was especially useful for collecting the perceptions, feelings, views and attitudes of ANC members, as well as those opposed to the party, on the issue of cadre deployment. Secondary sources in the form of books, chapters in books and academic articles were utilised. Owing to the contemporary nature of the study, newspaper articles are also perused. To a certain extent, interviews were conducted as a data collection instrument. Qualitative data were then analysed using the content thematic analysis where data were organised, rearranged and categorised into themes from the emergent views of those involved.

### **FINDINGS AND DISCUSSION**

#### **Unpacking the Meaning of the Cadre Deployment Policy**

The 1985 National Consultative Conference of the ANC acknowledged that the cadre deployment policy of a revolutionary organisation is always determined by the tasks of the revolution. The ANC's 'Cadre Policy and Deployment Strategy: Facing the Challenges' has its genesis in an ANC document called 'The National Democratic Revolution? Is it still on track?' penned by J Netshitenzhe, and was published in an ANC booklet called *Umrabulo* in 1996. The document proposed centralising and systematising the 'deployment' of ANC cadres to all 'cen-

tres of power', including the economy, education, sports, arts and the media, so as to secure ANC control and hegemony. The document urged the ANC to set up a database of cadres and their skills so that their deployment could be more organised. It also suggests that the first accountability of ANC members should be to the party. Further, the document stated: 'We must have a clear understanding of the system of supervision and decision-direction ... to ensure that our army of cadres discharge their responsibilities in accordance with decisions which the movement has made' (Netshitenzhe 1996: 4-6).

During the 52<sup>nd</sup> Polokwane Conference of the ANC held on 16-20 December 2007, a document which became known as the *Building a National Democratic Society: Strategy and Tactics of the ANC* was adopted. This document highlighted the fact that for the ANC to exercise its vanguard role, it had to put a high premium on the involvement of its cadres in all centres of power. This includes the presence of ANC members and supporters in state institutions. In addition, it included activism in the mass terrain of which structures of civil society were part. The involvement of cadres was needed in the intellectual and ideological terrain to help share the value systems of society. Therefore, this policy would encourage creativity in thought and in practice and eschew rigid dogma (Turok 2011: 246).

The ANC argues that its activism among the motive forces should be the responsibility of members and leaders alike, informed by a coherent cadre policy that takes into account career-pathing among its activists. In ANC's viewpoint, its cadres should act as custodians of the principles of fundamental social change, thereby winning respect among their peers and society at large through their exemplary conduct (Turok 2011: 246).

At its historic 53<sup>rd</sup> National Conference in December 2012, the ANC resolved that from 2013 to 2023 its structures and the broader movement would focus on cadreship as the bedrock of the movement and that of the National Democratic Revolution (NDR) in the struggle towards the creation of a national democratic society. The decision of the ANC to declare 2013 to 2023 'Decade of the Cadre' was informed by many factors, including the size of the membership of the ANC which had reached 1.2 million in 2012. The substantial growth in membership of the organisation had been welcomed since the unbanning

of the ANC in 1990. However, this rapid increase in membership also came with its subjective and objective challenges within the ANC (Mkongi 2013: 23-24).

Booyesen (2011: 397) agrees that with the implementation of the cadre deployment policy, the ANC has an opportunity to assign specific governance tasks to trusted members of the organisation. In this case the loyalty of the members plays a significant role in this regard. The organisation's interest in government overrides those of individuals. The above explanation clearly means that on the part of the ANC, safe party hands should be placed on all of what is termed 'the levers of power' in society and government. This was implemented with a view to establishing a hegemonic form of control of the state which was startlingly at odds with the notion of multi-party democracy under the rule of law.

Further, the aim of the cadre deployment is to ensure the seamless translation of ANC policy and its election manifesto into government programs. In most of the cases, the ANC is best served by one of its own at the executive levels of the bureaucracy to ensure that its promises to the electorate are implemented and interpreted by those who best understand them. Mkongi (2013: 23) wrote: 'A point has to be made that each phase of the struggle imposes new demands and tasks for revolutionary movements across the world and its members alike. Besides, new requirements are necessary tools for building a new, fresh and dynamic revolutionary organisation and movement to tackle new challenges that confront the revolution'.

#### **Cadre Deployment Elsewhere in the World**

The question of deployment is not only common to South Africa's democracy. In most of the old democracies of the world, if the party wins the elections and becomes the ruling party, the possibility of such a party coming with trusted and reliable individuals running the affairs of the incoming government are huge. In some parts of the world, when a new party comes into power, the masses of officials of the defeated party if it had been in power, forfeit their jobs and are replaced by the people from the new, incoming party. Perhaps the terminology might differ from one country to another, depending on the intentions of that particular government.

However, the transition to democracy in South Africa through a negotiated settlement never allowed such an eventuality to take place. In South Africa, after taking over of government by the ANC, the party gradually introduced its members to senior government positions.

Developed economies, such as that of the United States of America (USA) apply cadre deployment. In fact, at the change of regime between the Republicans and the Democrats, the executives in the bureaucracy who served the agenda of the departing administration, were expected to give way to the appointees of the incoming administration and *vice versa*. This was done to allow policy and ideological differentiation. Similarly, in South Africa, it could be disingenuous to suggest that a Democratic Alliance (DA)-led provincial government of the Western Cape could be led by a Director-General who is an ANC cadre. The above justifies the importance of having this policy, provided it is not manipulated for some selfish reasons by individuals.

#### **Arguments in Support of the Cadre Deployment Policy of the ANC**

It should be noted that the issue of deploying trusted cadres in strategic positions within the ANC is not something that started when the party became the government of South Africa after 1994. From the days of the Kabwe Conference in 1985, it had been the keystone of all deployments that were in accordance with aptitude, qualifications and capability. In addition, the same conference resolved that at all times the ANC should guard against favouritism, opportunities, regionalism and ethnic or sex discrimination. However, with the changing political landscape in South Africa, the ANC might have moved away from the above ideals of the movement.

In September 2011, the Secretary-General of the ANC, G Mantashe, insisted that there was nothing wrong with the highly criticised system of cadre deployment which gave Black people operational exposure and thus creating a sound base of skilled people. He stated that it was a corrective action aimed at helping Black people to take responsibility in full. In August 2012, again Mantashe stated the following to the *Daily Maverick*: 'Concerns about ANC deployment of cadres are unfounded. The blackmail of think-

ing that cadreship is a sin is something that we should not entertain. To be a cadre of a movement is not a sin. Opponents of cadre deployment ... they confuse it with wrong deployment. It's not the same' (De Waal 2012: 1).

In an interview with the ANC's spokesperson in the Free State, T Meeko by the *Free State Times*, he defended the implementation of the policy. He argued that it was not true that the poor performance of most municipalities around the country was due to the implementation of the cadre deployment policy. He stated that the ANC cadre deployment policy intends to identify the best candidates to implement policies of the party in government. The real reason why some municipalities perform poorly is the high levels of unemployment that they face. (Makoni, 2013: 6-7). A repeatedly asked question is whether the ANC was failing to take disciplinary actions against corrupt cadres who did not perform their duties once deployed in government structures or not.

In 2013, while serving as Minister of Enterprise, M Gigaba defended his appointments of cadres to parastatal boards. Although he acknowledges that cadre deployment had gone wrong in some instances, he insisted on the following: 'I wouldn't apologise for deploying a cadre into a board, provided the cadre has the relevant and required experience and expertise to deliver on the mandate... At the end of the day, G Marcus is a cadre. She has the required skills to run the SA Reserve Bank. Former SA Reserve Bank governor, T Mboweni was a cadre. I would worry if someone suggested that M Gigaba become the governor of the Reserve Bank. Then I would say cadre deployment would be wrong... The department had taken a decision to reaffirm the policy of not allowing a person to serve on one board for more than two terms of three years each, except in exceptional circumstances' (Etheridge 2013: 4).

### **Criticisms of and Challenges to the Cadre Deployment Policy**

Many leaders and cadres of the ANC are found in positions of substantial influence in the executive, the legislatures and state institutions. With the end of apartheid and the ANC's becoming the ruling party in South Africa after the 1994 democratic elections, the party opened up enticing opportunities for its cadres in busi-

ness and other professions. Turok argued that 'even within trade union movement and students', youth, women's and other mass democratic organisations, unprecedented opportunities for individual material gain have opened up. All this creates a problem of social distance between these cadres of the movement and ordinary members and supporters, the majority of whom are working class and poor' (Turok 2011: 246).

### ***Accountability to the Alliance Partners or the Lack Thereof***

The cadres feel accountable not to their employer but to the committee of the alliance that assigned them to the position in question. Not surprisingly, the High Court has struck down cadre deployment as illegal and unconstitutional in a case concerning the appointment of the municipal manager in the Amathole District of the Eastern Cape, but cadre deployment continues, with scant regard for the judgment of the court (Hoffman 2011: 97). The cadres answerable to the ANC committees which deploy them do not regard themselves as accountable to the public. However, it should be noted that the above mentioned observation is not necessarily the stance of the ANC. Interestingly, there are other arguments that challenging the cadre deployment policy by those within the ANC could be viewed and interpreted as career limiting.

The Democratic Alliance (DA) leader H Zille, the implementation of the cadre deployment policy was to bring South Africa to the brink of a constitutional crisis and had to be declared unlawful. Addressing a function on 1 April 2009 in Cape Town, Zille said she was seeking legal advice and intended approaching the Constitutional Court to have the policy declared unlawful and unconstitutional. She further stated: 'I believe that this is the only way to get us out of the quicksand, and get the wheels of justice turning again. History will show that the root cause of this constitutional crisis was cadre deployment. It is time for the Constitutional Court to evaluate this policy and declare it unconstitutional. That is the only way to prevent ANC manipulation of state institutions and it is the only way to restore the rule of law' (Ensor 2009: 4).

Zille said that the implementation of the cadre deployment policy was the beginning of the end of the separation of party and state and the

demise of the constitutional state. Citing an example of the National Prosecution Authority (NPA), Zille argued that state institutions became tools in an internal party conflict between former President, T Mbeki and the current President, J Zuma as deployed cadres fought battles on behalf of their political masters and persecuted their opponents (Ensor 2009: 4).

### *The Problem of Dominant Factions*

Despite acknowledging the splendid work done by some cadres deployed in powerful and positions, in most cases, the cadre deployment committees of the ANC which function at national, provincial and local levels are driven by factionalism. This leads to less than satisfactory outcomes when the favourites of the dominant faction, at any given time are not the best, or even appropriately, qualified candidates. The appointees regard themselves as the deployed cadres of the ANC rather than public servants and do not answer to anyone other than the alliance deployment committee that appointed them. It is argued that with the cadre deployment policy, internal party battles have also spilled over into the state, affecting other services provided by the state. Quintal (2007: 1) contends that ANC cadres in positions of massive influence in the executive, the legislatures and state institutions, have created a problem of social distance between the cadres and ordinary members and supporters, the majority of whom are working class citizens.

In an interview with T Mokoena (2013), added that: 'It is not true that all people deployed as cadres of the ANC in the different local municipalities are without skills and qualifications. Those who lament about that are disgruntled people. Within the ANC factionalism is not caused by the implementation of the deployment policy, but by people who do not want to be led by others. Those are the ones complaining about the cadre deployment policy'.

### *Lack of Appreciation of the Difference between Party and State*

One may argue that at the root of many of the problems facing South Africa currently is a lack of appreciation of the difference between party and state. In October 2009, M Gigaba, current Minister of Home Affairs penned an opin-

ion piece on the subject of cadre deployment that was published in the party's online newsletter, *ANC Today* in which he provided a remarkably frank assessment of the state of governance in many ANC-controlled towns, attempting to explain why service delivery had failed. This was interpreted as a severe indictment of cadre deployment, in which Gigaba, pulling no punches in his condemnation of elected ANC councillors and officials appointed by the party, abused their positions or neglected their responsibilities. It was when he touched directly on the party's policy of deploying only loyal party cadres to positions of influence, rather than the best qualified candidates regardless of their connections or affiliations, that the core of the problem was exposed. Furthermore, Gigaba alluded: 'What often compounds (the alienation of leaders from the community) is the fact that these comrades often have connections with senior leaders in the regions and provinces and belong to powerful factions that protect them and shield them from any criticism... It is clear in some municipalities that the issue of deployment has been thoroughly abused, to the great detriment of municipalities... Comrades have distorted the deployment strategy and perverted it to suit ignoble ends. The result is that the policy appears inherently flawed and vulnerable to abuse' (Anon 2009: 6).

In March 2011, the National Assembly attempted to make amendments to the Municipal Systems Act. The amendments were to prevent senior municipal officials from holding office in political parties. The Municipal Systems Municipal Amendment Bill could also make it illegal for any official found guilty of fraud or corruption to be employed anywhere in local government for a period of 10 years. Opposition parties, while supporting the bill, expressed concern that local government had already been compromised through the ANC's policy of cadre deployment. On 24 March 2011, the bill could not be voted on in the National Assembly because there were insufficient MPs in the house (Hartley, 2011: 4). However, the Municipal Systems Amendment Act (7 of 2011) took effect on 8 July 2011.

In reference to the above-mentioned developments, Acting Co-operative Governance and Traditional Affairs Minister, N Mthethwa reported to the National Assembly that during an assessment of local government, a shocking high

level of inappropriate political interference had been found. He confirmed people appointed as deployees of the ANC on different levels should do without fear, favour and prejudice and strive to make the administration function better (Hartley 2011: 4).

Opposition parties welcomed the bill, but COSATU objected that it would infringe the right of municipal officials to freedom of association. According to M Ndletyana, a political analyst, the bill which later became law was a thorny issue for the ANC because it had to balance improving service delivery against rewarding party activists who needed state employment, as they lacked the skills for private-sector jobs (Jeffery 2012: 5).

### *Allegations of Possible Overlooking of Competent People*

Many analysts argue that the greatest injustice was committed when incompetent and unqualified people were deployed into administration as municipal managers, chief financial officers and heads of certain services, such as local economic development, technical services and others. Some of the people deployed, when they fail to perform or become arrogant and 'big-headed', know that they will be shielded by those who deployed them.

In this study, the author postulates that the above view, suggesting that incompetent people appointed in critical and strategic positions due to the cadre deployment policy, should be placed in proper context. The above belittles and denigrates cadre deployment as it equates the policy to the employment of people with inferior qualifications and skills by virtue of their membership of the ANC. It also asserts that the policy is a veiled job reservation mechanism for unqualified people. Therefore, this assumption is misconceived and based on a flawed premise, since there are many qualified people occupying senior posts within the ANC government. It assumes ANC cadres are unqualified, incompetent by nature and necessarily Black.

M Kanyane of the Humans Science Research Council (HSRC) wrote the following about the cadre deployment policy and its implementation: 'One conclusion that seems to be common is that the ANC's deployment strategy systematically places loyalty ahead of merit and even competence, and is therefore a serious obstacle to

efficient public service. Politically connected incompetent people are often deployed to public positions, which led to a demoralised public service. Incompetent and unqualified people are unable to deliver service efficiently and effectively. Competency and ethical standards are critical for an effective public service' (Areff 2012: 4). There is a serious misrepresentation by the above statement as made by Kanyane. He suggested that all the people deployed by the ANC are incompetent. Furthermore, the ANC cannot be fully blamed for incompetence.

S Mahlangu, Special Counsel to Public Enterprises Minister wrote in the *Business Day* that: 'Cadre deployment should not be mistaken for the placement of people in positions in which they have no appropriate skills. Mediocrity of any kind is not to be tolerated. Mediocrity is not an inherent quality of cadre deployment. Most public servants are career bureaucrats. Their performance or lack thereof should be judged on merit' (Mahlangu 2013: 10).

The ANC questioned the concerns that the party deploys cadres into the civil service without following the correct channels. The ANC basically led the constitutional writing process and established the Public Service Commission in accordance therewith. Therefore, it is ironic that the same ANC would undermine such structures.

## CONCLUSION

With the implementation of the cadre policy, the ANC cadres were meant to infiltrate every aspect of society, not merely the public service. As a remedy to the challenges of cadre deployment, there were arguments expressed outside the ANC that the policy should be scrapped in favour of transparent selection processes and merit appointments. The study highlighted that attempts to stigmatise cadre deployment are sometimes informed by mistrust of the expertise possessed by Black professionals, and Afropessimism. Perhaps by drafting the 54-page document on the recommendations from the ANC's Fourth National Unity Conference in 2012, it was an indication that the party was destined, to a certain extent amongst other things, to address the challenges posed by the cadre deployment policy. Thus, after this conference the ANC pronounced that the next 10 years from 2012 would be the Decade of the Cadre. Whatever success

the cadre deployment policy may have had, it has also led to cronyism, nepotism and corruption. To certain extent this has led to a paralysis of authority, with cadres inevitably torn between the needs of their jobs and the dictates of the party.

### RECOMMENDATIONS

In order for the cadre deployment be productive and not be viewed as another form of job reservation, members of the ANC and society at large should demand that it (ANC) should ensure that in deploying cadres there be a systematic, rational and coherent way in which these cadres are deployed. However, in the implementation of the cadre deployment policy, the ANC should guard against what could be interpreted as 'State within a State' which could lead to authoritarianism and the emergence of secret elites within the party. While cadre deployment could be acknowledged as a sound strategy by the ANC in order to be 'hands-on' concerning issues pertaining to governance in South Africa, if the policy is not properly managed and monitored, it could become a source of patronage. One agrees with the ANC that in order to overcome the obstacles of bad governance and the possible efforts of sabotage, it is imperative for the representatives of the people to put in place mechanisms to fulfil their mandate. Such mechanisms include the strategic deployment of individuals who will ensure that the democratically determined vision of the party is attained. It should be noted that the ANC members are also South Africans. They have the right to oppor-

tunities like any other South African in all sectors of society.

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