

MPS DRAGGING THEIR FEET -
WHEELS ARE TURNING BUT WE
ARE GOING BACKWARDS:
OUTA 2021 REPORT ON
PARLIAMENTARY OVERSIGHT IN
SOUTH AFRICA

ADVOCACY BRIEF 3: PUBLIC PARTICIPATION

Purpose:

The purpose of this Advocacy Brief is to provide a succinct overview of the section Public Participation in the 2021 Report on Parliamentary Oversight in South Africa as presented by OUTA.

Background:

In the 2020 report, OUTA outlined the constitutional mandate for Parliament's oversight function, highlighting that "In most democracies, Parliament has a constitutional mandate to represent the People and to protect fundamental democratic values.

Facilitating public involvement in political decision-making is a key function through which Parliament fulfills this mandate.

In a global political context increasingly marked by shrinking civic space, Parliament's watchdog role is more critical than ever."

Why is it important for people to have a voice in Parliament? For OUTA, it is important because this ensures that public resources are not abused with impunity.

PUBLIC PARTICIPATION

It is noted that with the shift from offline to online operations, the results are positive. More citizens have been attending the Parliamentary Portfolio Committee meetings than before Covid-19. On the downside of online participation is the concern of accessibility. A substantial number of citizens are excluded from such engagements due to limited data and broadband provision, notwithstanding lack in trustworthy information and communication infrastructure. This discrepancy reinforces the already-existing digital divide in South Africa between those who are fortunate to have access and data provision and those that do not have it.

PUBLIC STAKEHOLDER REPRESENTATION

Committee reports are very indicative of whether parliament engaged in public hearing and whether public engaged with parliament. Parliament engagement is a two-way street: it is one thing to criticise parliament of insufficient engagement, but there is a certain level of responsibility from civil society and members of the public to also participate in deliberations of national, municipal and local importance. Stakeholder representation is required for both policy and fiscal determinations.

PUBLIC ENGAGEMENT WITH PARLIAMENTARY PORTFOLIO COMMITTEES

In the 2021 OUTA Parliamentary Oversight Report three portfolios were focussed on during the period of 2014 to 2021: DMRE, DPE, and CoGTA. These were selected due to the current energy crisis as well as the local elections held in November 2021. Four categories were used to measure the different public engagement categories: 1) Stakeholder/Indaba meetings, 2) Number of days of public hearings, 3) Number of individual stakeholders engaged, and 4) Number of committee meetings held. The online shift due to Covid-19 has provided the opportunity for an increase in committee meetings, but it similarly reduced the number of indabas across the board.

Public participation is crucial in building an effective, inclusive and representative democracy. Citizens have the right to meaningful consultation and engagement with local government.

- OUTA

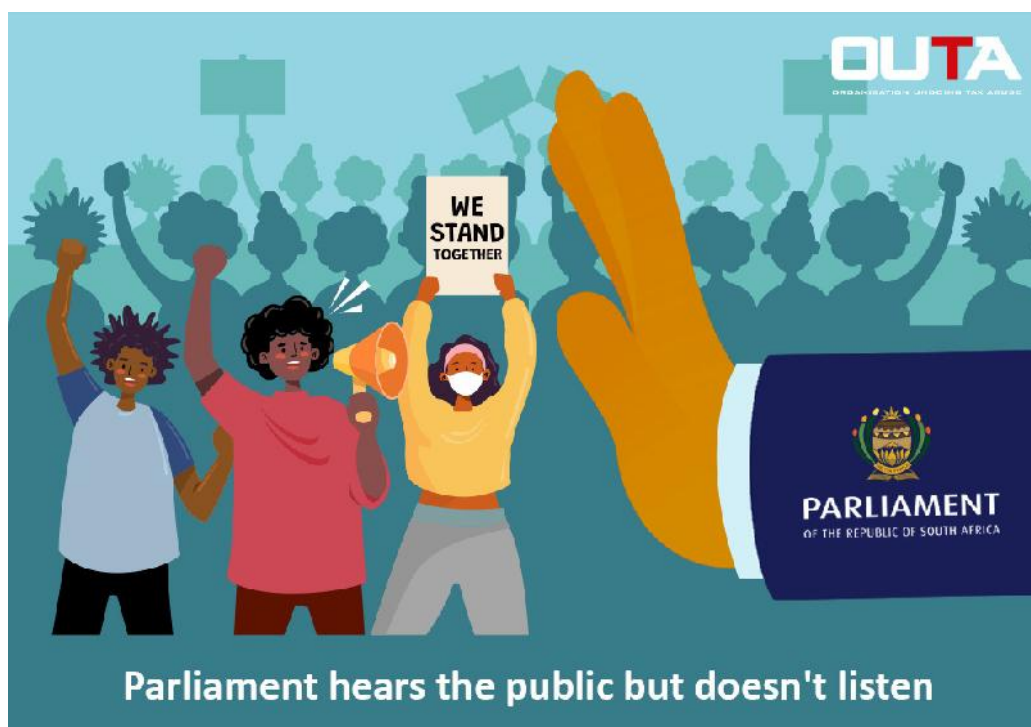
PUBLIC PARTICIPATION

NATIONAL ASSEMBLY BRRR REPORTS

OUTA uses BRRR reports to determine if MPs receive non-government inputs. These gauge whether sources are referenced other than those received by the relevant department. Of the 25 portfolio committees, OUTA assessed eight. In the assessment of the DMRE sample, no reference is made to any non-governmental sources that MPs made use of in their consideration of the presentations from the departments. Conversely, CoGTA did refer to views of and experiences with traditional leaders and even recommend more engagement with traditional leaders in the next year.

PUBLIC HEARINGS ON THE BUDGET

The 2020 April to July YouTube views were compared with the same months in 2021. The following committees were measured: DPE (52% decrease), DMRE (52% increase), CoGTA (117% increase), DWS (204% increase) and DOT (89% decrease). The results are encouraging and show a much larger number of people attending Portfolio Committee meetings in the National Assembly than ever before.





KEY MESSAGES

Although many more people were able to watch what Parliament was doing, and although some committee held public hearings, there is little acknowledgement of the time and effort civil society endures in making recommendations to Parliament, and nothing that is put forward leads to any change in the budget allocations to the executive. It is difficult to understand why MPs continue with pretense of public participation as it appears that the results of all such processes have been worked out in advance.

REQUIREMENTS

Parliament cannot simply adopt the budget put forward by the executive. It must promote public participation in order to avoid the pretense of engaging with the public in consultation. The failure to take public input seriously shows an apparent lack of respect and accountability by MPs to the people that they expect to vote for them in the next election.

GENERAL EXPECTATIONS

There are expectations of parliament, which include:

- Representation of the public's interests
- Politicians and MPs must be active citizens themselves
- MPs must uphold the highest moral code and act with integrity
- MPs must oversee the executive



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