

Input by Hon. Qhobishiyane during conversation to strengthen and support our Legislatures with civil society organisations and Parliament Monitoring Group

Virtual Platform,

25 November 2021

Distinguished guests,

Colleagues in the Legislative Sector,

Hon. Members and Presiding Officers of National Parliament,

Representative of non-governmental and civil society organisations,

Programme Director,

The Eastern Cape Provincial Legislature is proud to be involved in these conversations and efforts that seek to strengthen and support our Legislatures. It is a noble cause that will further highlight the work that Legislatures do, thus enhance people's participation in the democratic processes. Such conversations are important in helping the Legislatures in achieving their constitutional obligations. As institutions enacted to support democracy through our constitutional mandate, the Legislatures have a bigger role to play in creating access for people's participation and involvement.

The recent Local Government Elections held on the 1st November 2021 are an important development, which I believe are also relevant for this conversation because the elections are a good measurement or tool for evaluating people's participation in democratic processes. It should however be quite concerning to all of us, that out of more than 40.3 million citizens who are eligible voters, only about 26.2 million are registered voters. It should also be of additional concern to us as leaders and representatives of the people, that of the 26.2 million citizens registered voters, only just above 12 million turned out to vote on the 1 November 2021. This means that the majority of South Africans are no longer participating in the formation of government. Furthermore, it indicates that we have an unfavourable situation of running the country with the majority votes of what in essence is a minority vote. This

downward trend has continued from the Provincial and National Elections in 2019 where there was apathy amongst young people to participate in democratic processes. Our argument was based the voter turn-out in the elections where millions of registered voters' people didn't cast their vote. At the time, we said: "The voter turnout at the recent National and Provincial Elections and the continued protests across the province could be an indication of public apathy in participating in democratic processes." The downward trajectory of the voter turnout is a threat to our democracy and should be of concern to all political parties, civil society organisations and institutions supporting our democracy. President Nelson Mandela cautioned that: ***"What is important is not only to attain victory for democracy, but also to retain democracy."*** As an institution of Democracy and by extension the civil society, and working with our partners, we should heed the call of our former President and spare no effort in seeking a thorough going and scientific process to reverse this threat to our democracy. The former Speaker of the first Democratic Parliament, Dr Frene Ginwala aptly captured it when she said:

"The seed of democracy lies in the principle that the legitimacy of the power to make decisions about people's lives, their society and their country should derive from a choice by those who are affected." This assertion signifies the essence of our democracy and requires of us, as Public Representatives to be acutely aware of our responsibilities, if we are to serve the interests of the people and make our Legislatures, parliaments in which the voices of all people become essential to deepening our democracy, thus giving expression to the aspirations of all people. Our interactions at continental and internal parliamentary forums indicate that there is apathy across all countries in matters relating to democracy and public participation. To address some of the challenges, there are discussions of finding innovative ways to reignite the public interest, particularly on mandates of oversight bodies like the Legislature and Chapter Nine institutions. Dialogues like these with key role players will take us closer to our common goal of enhancing public participation in Parliament.

Programme Director,

Public participation is regarded as a corner stone of democracy and that communities need to be consulted and provided adequate space to participate in the development and implementation of laws, policies and programmes that impact on their lives. At the centre of the agenda for the 6th Term is the need to make the Legislative Sector accessible to the people. The freedom charter is unambiguous in its declaration that the people shall govern, and the Legislatures at all levels should give meaning to this clarion demand through public participation. Having realised the lack of interest, we have made a commitment to reconnect the Legislature with the people. We have also realised that, in the Eastern Cape Province for instance, people don't understand the role and mandate of the Legislature and how it is set up to assist or intervene on the citizens' behalf with government. There is an urgent need to intensify public education so that people understand the role and mandate of the Legislature. We are cognizant of the fact that a lot is expected from the Legislature in terms of conducting oversight that will ensure the accountability of the Provincial government to the people of the province; Pass Laws that will ensure that citizens' rights are upheld and to conduct public outreach and educational programmes that will ensure meaningful public participation. It is how we interact with citizens that will attract public interest into parliament business. Such participation will be informed by the relationships Members of the Legislature build with their constituents. Our immediate focus is on reconnecting the Legislature with all the constituencies and making sure all members regularly visit and interact with their constituencies. This we are doing through standardising support for constituency offices, which includes the effective use of constituency days by political parties represented in the Legislature. It is also important that Members of Parliament maximise constituency offices to interact directly with the citizens, resolve their complaints and guide them in getting their problems addressed. In advancing our activist approach, we had planned to afford at least two committees an opportunity to conduct committee meetings outside the Legislature that could be held in community halls to provide the opportunity for the people to observe the work done by the Legislature. This would have helped us allow for more interaction between the elected representatives and the people. However, the outbreak of Covid-19 last meant we had to revise our plans and work within the scope of State of Disaster Lockdown, thus limited our direct interactions with communities.

Programme Director,

In line with our maturing democracy and governance, our intention is to create enabling conditions for members to deliver on their constitutional mandate through conducting rigorous oversight, law making and public participation. We are also intent on creating synergies between our various programmes such as public hearings, education, and responses to petitions. The role of institutions supporting democracy has been very critical in the work of the Legislature. The Legislature needs to embrace all these institutions so that the public out there may rely on them as other mechanisms to deepen freedom and democracy. We have forged partnerships with Chapter Nine Institutions and the South African Local Government Association (SALGA) to enhance public participation. The Legislature and SALGA share a common commitment to the fundamental values enshrined in the Constitution of the Republic and acknowledge the importance of establishing a coherent system of participatory law making and effective oversight both as a means towards deepening democracy, good governance and to sustain effective socio-economic development and service delivery. From this collaboration, the South African Local Government Association (SALGA) is allowed to attend house sittings and portfolio committee meetings relevant to their mandate. The Legislature and SALGA share information on matters of common interest.

We are intent on making use of new technologies such as live streaming of house sittings on both social media platforms and community radio stations, thus enabling people to be abreast on the work of the Legislature. Our aim is to reach out to both the digital and rural communities so that none is left behind from the work of the institution. The ICT infrastructure is being upgraded to enhance the work of the Institution in achieving our mandate. While mechanisms and programmes are there for people to be part of parliament, there are two critical factors that will determine our success in carrying out the constitutional mandate of the institution. The first is the budget allocation of the Legislature which is clearly insufficient to carry out the mandate. The budget allocation to government departments, of which we are constitutionally bound to oversight far exceeds what is allocated to the Legislature. The legislative sector is looking at this and considering ways of improving the funding streams of the entire legislative sector.

We can't underplay the impact of perceptions of embedded corruption on public interest. Judging from the continued voter turnout it is clear that the citizens are crying out for leaders, Martin Luther King Jr once described as:

“Leaders who embody virtues people can respect, who have moral and ethical principles people can applaud with enthusiasm (Martin Luther King Jr).

If we have absence of such ethical leaders described by Martin Luther King Jr in the Legislatures, then people will continue to look away from parliament and democratic institutions to the detriment of those institutions, which exist to deepen democracy.

The role of civil society organisation is critical in helping the Legislatures achieve their objectives. During the years of fighting for freedom and democracy, civil society made an enormous contribution to the attainment of freedom in 1994. However, their activism and vigilance seems to have dwindled for a better part of the first years of democracy and have let the democratic state to run matters on its own. The absence of civil society from this space has been to the detriment of democracy in the country and the democratic state lost a capable ally. The challenge to the participants in this conversation is perhaps to define what role could civil society play in strengthening and supporting Legislatures, particularly in the new environment imposed by the pandemic.

Enkosi Kakhulu!

Mlibo Qhoboshiyane

Deputy Speaker to the Eastern Cape Provincial Legislature