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FROM

Ms Baby Penelope Tyawa

Acting Secretary to Parliament,

Parliament of the Republic of South Africa

ON

**Assessment of Public awareness on the work of parliament: results from a
four year long independently commissioned study for the Parliament of South
Africa”**

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1. Introduction

This paper concern itself with the assessment of public awareness on the work of the South African parliament. The paper is aimed at sharing the results from a four year long independently commissioned study for the Parliament of South Africa. The next section after this introduction provides a conceptual and contextual overview of public participation in the South African Parliament. It is in the third section of this paper that the South African Parliament's public participation model is discussed. Section four of this paper deals with the public surveys and the work of the South African Parliament. The subsequent section concludes the paper and offers some recommendations.

Undoubtedly, institutions of governance and representation such as Parliaments are an integral part of citizens' lives. Political scientists agree that, from time immemorial, one of the most important questions of political life – perhaps the most important of all time has been that of the nature, extent and strength of relationship between people and government, between rulers and ruled".¹ Correspondingly, history shows that, since antiquity, this relationship between the rulers and the ruled has always formed an integral part of people's assemblies or deliberative bodies like Parliaments. In fact, 'there is evidence that gathering of leaders to discuss and decide matters of importance and citizens' assemblies were held in ancient Mesopotamia (modern-day Syria and Iraq) as far back as 2500 BC'.² The Athenian and Roman parliaments were characterised by deliberative, consultative, and judicial assemblies of different forms- hence ancient Greece and Rome entered the annals of history as the cradle of democracy.³

But what is important to note though is that, these deliberative structures or people's tribunes did not disappear with archaic societal evolutions and political winds of change- instead- the ideas of democracy and parliaments travelled in time to modernity. Hence, it can be argued with a certain degree of certainty that, to this day and age, at the heart of most democracies are parliaments and as Kopechy (2005)

¹ Mafunisa, M and Maphunye, K, J. 2005. Public Participation in Decision-Making in the Gauteng Provincial Legislature. Accessed on 28 July 2019, available at: http://repository.hsra.ac.za/bitstream/handle/20.500.11910/7255/2943_Mafunisa_Publicparticipation.pdf?sequence=1&isAllowed=y

² Parliament of Australia. Closer Look Series – produced by the Parliamentary Education Office | Available at www.peo.gov.au (Accessed on 20 December 2016)

³ Dunn John. 2005. Democracy: A History. New York, Atlantic Monthly Press, 2005

posits, modern democracies are unthinkable without parliaments.⁴ Today, these bodies do not only serve as the cornerstone of different political systems, but they also serve as mirrors through which the nature of the state, party systems, and political culture are reflected.⁵

Moreover, there seems to be a general acknowledgement that the centrality of a parliament in any given polity is best demonstrated by its role in representation.⁶ As the key structure of representation, parliament also links society with other democratic institutions, the executive, judiciary or state bureaucracy.⁷ Max Sisulu, the former Speaker of the South African National Assembly, shared the same view and argued that ‘parliamentarians, as the elected representatives of the people, were the link between the electorate and the government’.⁸

However, in modern politics and history, while on one hand national assemblies and/or parliament still serve, in part, the same purpose of representation, on the other hand, they have “metamorphosed” into totally different entities. Today, a modern parliament has three functions: representing the electorate, making laws, and overseeing the government.⁹ In addition to the original parliamentary concepts of assembly, representation and legislation, which hark back thousands of years ago, oversight and facilitating public participation were added as additional parliamentary duties and/or responsibilities and these find expression in many constitutions around the world today. As veritable hubs of democracy, besides representation and safeguarding their power of the purse, modern day parliaments, are expected to also play a more meaningful role not only in carrying people’s hopes and aspirations- but also in harnessing developmental efforts by, amongst others, providing a platform for people

⁴ Kopecky, Petr. Parliaments in Central and Eastern Europe: Changing Legislative Institutions. *Sociologický Časopis / Czech Sociological Review*, Vol. 41, No. 3 (JUNE 2005), pp. 361-373

⁵ Salih Mohamed [ed]. 2005. *African Parliaments: Between governance and government*. Palgrave Macmillan, New York

⁶ Kopechy, 2005

⁷ Kopechy, 2005

⁸ Sait Lynette. 2015. *Strategies for the National Assembly to Ensure the Effective Implementation of the National Development Plan of South Africa*. Thesis submitted in fulfilment of the requirements for the degree Master of Technology: Public Management in the Faculty of Business and Management Sciences at the Cape Peninsula University of Technology

⁹ Parliament of Australia. *Closer Look Series – produced by the Parliamentary Education Office | Available at www.peo.gov.au (Accessed on 20 December 2016)*

to influence and shape decision-making processes about development of their communities.

In our most recent post-1994 democratic history in South Africa, Parliament has always occupied the space of ultimate representation and has always been positioned as a true tribune of the people. In fact, the vision of Parliament, since the first democratic Parliament of the Republic of South Africa, was and remains that of building a truly representative people's Parliament. However, a "People's Parliament" requires an institution that prioritises and seeks active engagement with the public, and that is receptive and responsive to the needs of the people and it can be said without fear of contradiction that the drafters of our constitution were mindful of this—thus, the constitutional injunctions that guide the work of our parliament require it to be grounded in public engagement and ensuring that decisions taken, policies and legislation adopted and general discourse is intrinsically tied to the public.¹⁰

Our first generation of law-makers in the democratic dispensation were cognisant of the fact that, an effective avenue for the provision of public participation is one of the hallmarks of a democratic government.¹¹ Building on the work of this first generation of post-Apartheid legislators and mindful of the impetus and increased attention that was being placed on the notion of public participation worldwide as evinced by international and regional agreements such as the Manila Declaration on People's Participation and Sustainable Development and the African Charter for Popular Participation in Development and Transformation (just to mention a few), there was an increased resolve in the institution to codify and develop common nomenclature on this important aspect of parliamentary work. This is why today, South is in a unique position in that public participation is constitutionally entrenched in the country and there are mechanisms to ensure that the public is included in all processes of law making.¹²

But what is important to highlight at this end is that, while public participation has always remained central to the mandate of the South African Parliament, the nature of public participation has evolved since the dawn of democracy. It would be recalled

¹⁰ Doyle, M. 2017. Public Participation in Parliament: A Survey of Participants. Parliamentary Monitoring Group, Cape Town

¹¹ Doyle, 2017

¹² Doyle, 2017

that the nature and focus of public participation changed dramatically with the drafting of South Africa's new constitution in 1996. Before the democratic order that was heralded by the first democratic elections in 1994, the policy making was a closed affair with very little, if any public participation.¹³ This changed with the new South African Constitution, which asserts that South Africa is a representative and participatory democracy and for the first time, the country's Parliament created an avenue for public access to and involvement in the legislative process.¹⁴ Participation in the legislative process was open to all including the organised and powerful, the marginalised and unorganised- including the civil society, which to this day, remains a key conduit for public participation in the country.¹⁵

In the context of a representative and participatory democracy, over the years the South African Parliament has sought to increase access and improve the quality of participation through various programmes such as public hearings, petitions, lobbying, submissions, "Taking Parliament to the People" and sectoral engagements- with the aim being that of deepening participatory democracy. Nevertheless, the shortcoming that was identified was that, while Parliament and provincial legislatures have various public participation mechanisms in place, processes to develop norms and standards to regulate the implementation of these mechanisms were are still underway. The National Parliament has since developed its own Model that seeks to outline and mainstream norms and standards for public participation processes in Parliament.

To this end, one would assume, as it is to be expected, that given the strides that have been made since the dawn of democracy to develop systems and build models in order to improve efforts aimed at facilitating and deepening public involvement and/or participation in parliamentary process and to entrench that constitutional imperative in the institutional systems and processes- by now most citizens would be aware of Parliament and its mandate. And off course, at the core of that assumption would be a view that- all other things being equal- levels of awareness will correspond to levels of public participation. But according to statistical evidence, that has not been the case in the context of the South African Parliament. Superior logic would dictate that in order

¹³ South African Legislative Sector Association. Public Participation Framework for the South African Legislative Sector. June, 2013,

¹⁴ SALS, 2013

¹⁵ Doyle, 2017

for people to participate in parliamentary activities, they first need to be aware about the institution and its mandate.

Normatively speaking, public awareness precedes public participation. But as observed in the outcomes of independent surveys conducted in the South African parliament, the opposite can happen- which means that the relationship between levels of public awareness and participation will not always be a linear and simple one (people can participate in parliamentary processes even though they are not fully aware about Parliament and its constitutional duties).

2. Public Participation in the South African Parliament: A Conceptual and Contextual Overview

According to the South African Legislative Sector, “public participation is the process by which Parliament and provincial Legislatures consult with the people and interested or affected individuals, organisations and government entities before making a decision”.¹⁶ As Southall (2003) and Scott (2009) rightfully point out, “Public participation is a fundamental dimension of democracy” and an important factor in the strengthening and maturing of democracies”.¹⁷ In addition, the South African legislative Sector views public participation as a two-way communication and collaborative problem solving mechanism with the goal of achieving representative and more acceptable decisions.¹⁸

The International Association for Public Participation has developed what it considers to be generally accepted core values and principles for the practice of public participation, the purpose of which is to help make better decisions that reflect the interests and concerns of potentially affected people. According to these values and principles, public participation:

¹⁶ SALS, 2013

¹⁷ See Southall, R. The Challenge of Public Participation in Africa. Paper delivered at The Conference on Public Participation: Growth through participation, held in Durban 24 to 25 June 2003, Report of the Centre for Public Participation. And Scott, R. An Analysis of Public Participation in the South African Legislative Sector, Thesis submitted in partial fulfilment for the degree of Master of Administration, Stellenbosch University, March 2009.

¹⁸ SALS, 2013

- Is premised on the belief that those who are affected by a decision have a right to be involved in the decision-making process;
- Includes the notion that the public's input will be considered;
- Promotes sustainable decisions by recognising and communicating the needs and interests of all participants and decision makers;
- Seeks to facilitate the involvement of those potentially affected by or interested in a decision;
- Seeks input from participants in designing how they participate; and
- Provides participants with the information they need to participate in a meaningful way; and communicates to participants how their input fashioned the decision,

What is important to note in this regard is that, in South Africa, public participation is not just a mere abstract construct or academic term-but rather, it is as constitutional imperative and a call into action. The South African Constitution underscores the need for the realisation of a participatory democracy which calls for the active involvement and participation of the citizenry.¹⁹ The Constitution makes provisions with regards to public participation in the National Assembly (the lower house of Parliament), the National Council of Provinces (the upper house of Parliament) and the provincial legislatures in Sections 59, 72 and 118 respectively. It provides for facilitation of public involvement in the legislative and other processes of the legislatures and their committees and mandates the respective Houses or committees to conduct their business in an open manner.

In particular, Section 59 of the Constitution, on public access to and involvement in National Assembly, states as follows²⁰:

(1) The National Assembly must:

(a) facilitate public involvement in the legislative and other processes of the
Assembly and its committees; and

(b) conduct its business in an open manner, and holds its sittings, and those of its

¹⁹ (Scott, 2009).

²⁰ South Africa. 1996. Constitution of the Republic of South Africa, Act No. 108 of 1996. Pretoria: Government Printer.

committees, in public, but reasonable measures may be taken to

(i) regulate public access, including access of the media to the Assembly and its committees.

(2) The National Assembly may not exclude the public, including the media, from a sitting of a committee unless it is reasonable and justifiable to do so in an open and democratic society.

Moreover, Section 70 of the Constitution, on internal arrangements, proceedings and procedures of National Council, states as follows:

(1) The National Council of Provinces may –

(b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement.

Equally important to note is that, promoting public participation in the legislatures, according to the Constitutional mandate, is not only important to promote a people-centred democracy, it is also critical because it strengthens the functioning of the legislatures.²¹ This stems from a realisation that, firstly, a “People’s Parliament” requires an institution that prioritises and seeks active engagement with the public, and that is receptive and responsive to the needs of the people and secondly, an acknowledgement that “effective public participation can improve the capacity of legislatures to fulfil their role to build a capable, accountable and responsive state that works effectively for its citizens.”²²

As pointed out by Sefora (2017), the fourth democratic parliament was marked by the development of the Public Participation Framework (PPF) for the legislative sector public participation process within the sector.²³ The goal of the PPF was to provide a

²¹ SALS, 2013

²² SALS, 2013

²³ Sefora, M. Public Participation in Parliament– Perspectives on Social Media Technology (SMT). Study presented in partial fulfilment of the requirements for the degree Masters in Public Administration in the Faculty of Economic and Management Sciences at Stellenbosch University, December 2017

universal approach and set of minimum standards for public participation in the sector. The PPF was intended to guide Parliament and legislatures to develop their public participation models (PPM) in order to adopt a unified approach to the way public participation is conducted.²⁴ And in line with the sector-wide PPF and pursuant to the achievement of Parliament's strategic objective of increasing access and improving the quality of participation through enhanced programmes, during the 5th Parliamentary term the institution completed its own PPM.

But in a more analytical vein, all of these developments in the sector and the institution around development of frameworks and/or models seem to have coincided with a burgeoning jurisprudence on the issue of public participation as a constitutional imperative- all of which has some to have a bearing on how parliament and the broader legislative sector discharge this constitutional responsibility. A closer look at the country's most recent case law would show that the constitutional requirement for Parliament and provincial legislatures to facilitate public involvement has been a subject of many court cases and in some instances, Parliament has been found not to have discharged its constitutional responsibilities in an adequate and/or satisfactory manner.

For instance, in the Supreme Court of Appeal in *King and Others v Attorneys Fidelity Fund Board of Control and Another* , the court found that the above mentioned value is contained in the constitutional requirement that the rules and orders of the National Assembly for the conduct of its business must be made with due regard not only to representative democracy but also to participatory democracy. The Court further found that; "[i]t also finds expression in the National Assembly's power to receive petitions, representations or submissions from any interested persons or institutions, its duty to facilitate public involvement in its legislative and other processes and of those of its committees, its duty generally to conduct its business in an open manner and hold its sittings and those of its committees in public, and its duty, generally, not to exclude the public or the media from sittings of its committees."

The Supreme Court of Appeal had an opportunity to give content to the concept of public involvement in the case of King. It defined it in the following terms:

²⁴ Scott, 2009

‘Public involvement’ is necessarily an inexact concept, with many possible facets, and the duty to facilitate it can be fulfilled not in one, but in many different ways. Public involvement might include public participation through the submission of commentary and representations: but that is neither definitive nor exhaustive of its content. The public may become involved in the business of the National Assembly as much as by understanding and being informed of what it is doing as by participating directly in those processes. It is plain that by imposing on Parliament the obligation to facilitate public involvement in its processes, the Constitution sets a base standard, but then leaves Parliament significant leeway in fulfilling it. Whether or not the National Assembly has fulfilled its obligation cannot be assessed by examining only one aspect of public involvement in isolation of others, as the applicants have sought to do here. Nor are the various obligations section 59(1) imposes to be viewed as if they are independent of one another, with the result that the failure of one necessarily divests the National Assembly of its legislative authority.”

The above definition was endorsed by the Constitutional Court in *Doctors for Life International v Speaker of the National Assembly and Others* and in *Matatiele Municipality and Others v President of the RSA and Others*. The judgement of the Court in *Doctors for Life* explains the meaning of public involvement and gives guidance on what is expected of legislatures in fulfilling this obligation. The Court found that the plain and ordinary meaning of the words ‘public involvement’ or ‘public participation’ refer to the process by which the public participates in something. “Facilitation of public involvement in the legislative process, therefore, means taking steps to ensure that the public participate in the legislative process. That is the plain meaning of section 72(1) (a).” In other words, the duty to facilitate public involvement in the processes of Parliament, either House of Parliament or a provincial legislature envisages action on the part of the Parliament, the relevant House or a provincial legislature that will result in the public participating in the law-making and other processes.

The Court in *Doctors for Life* indicated that legislatures have a significant measure of discretion in determining how best to fulfil their duty to facilitate ‘public involvement’ in its processes. Furthermore, although the measures required by the constitutional obligation may vary from case to case, a legislature must act reasonably. What is

ultimately important is that a legislature has taken steps to afford the public a reasonable opportunity to participate effectively in the law-making process.

As pointed out by Du Plessis (2018), more recently, the Land Access Movement of South Africa (Lamosa), concerned with the poor facilitation of public participation by the National Council of Provinces during the process of passing the amendment the Restitution of Land Rights Act, approached the Constitutional Court to have the amendment act declared unconstitutional.²⁵ In grappling with the matter, the judgment made it clear that "South Africa's democracy contains both representative and participatory elements", implicating that the public has a right to participate in the legislative process and not just leave the legislation making to the elected parliamentarians. In fact, these two processes "support and buttress one another", and Parliament must also facilitate this process, as it is a constitutional right.²⁶

But what is observable from all these court cases and notwithstanding some concerns about what some analysts have called "judicial overreach", there seem to be a semblance of respect by the judiciary of the legislature as an independent arm of the state with legislative authority. In fact, as Du Plessis (2018) rightfully observes, the courts in our South African context seem to accept that Parliament have the power to determine how participation will be facilitated and they tend to limit their inquiry to the rules adopted for this purpose, the nature of the legislation, and the need and urgency for its adoption.²⁷ In assessing whether Parliament facilitated public participation, the court always have regard to time constraints and potential expense, and the importance of the legislation and its impact on the public.²⁸ Put differently, "the courts therefore always have to tread carefully between upholding the Constitution by ensuring that Parliament does not infringe on rights, and by ensuring that in the process, it does not interfere in the legislative process".²⁹

²⁵ Du Plessis, 2018

²⁶ Du Plessis, 2018

²⁷ Du Plessis, 2018

²⁸ Du Plessis, 2018

²⁹ Du Plessis, 2018

3. Parliament's Public Participation Model

As alluded to above, Parliament represents the people to ensure government by the people under the Constitution, as well as to represent the provinces and local government in the national sphere of government.³⁰ The facilitation of public participation and involvement in its processes remain central to the mandate of Parliament within the context of a participatory and representative democracy. Sections 59 and 72 of the Constitution compel Parliament to facilitate public involvement in its legislative and other processes.³¹ Thus, over the years Parliament has had various public participation mechanisms in place.

The Public Participation Model recognises informing, consulting, involving and collaborating as stages of effective public participation. In line with the minimum public participation standards articulated above, informing and educating are undertaken under the informing stage of public participation. Meaningful opportunity to participate is provided for under the consulting, involving and feedback stages of public participation. Although the informing stage is a prerequisite for public participation, the other stages can be deployed based on the context and the public interest generated by contextual issues at hand.³²

In respect of the above-mentioned stages, the following applies³³:

- Parliament cannot provide feedback to the public without first informing, consulting and involving;
- Parliament cannot involve the public without first informing and consulting;
- Parliament cannot consult the public without first informing the public; and

³⁰ Parliament of the Republic of South Africa. 2017. Public Participation Model. Cape Town, South Africa

³¹ Ibid

³² Ibid

³³ Ibid

- informing therefore becomes an absolute prerequisite for effective public participation.

As a result, each stage has a corresponding increase in the opportunity for partnering and for the public to influence or make an input into the relevant process output/outcome. Meaningful public participation must ensure that the appropriate stage of participation is utilised. A public participation process should therefore provide for stages of participation that are commensurate with the level of public interest. Parliament, in meeting its obligation of involving the public, must endeavour to satisfy all of these stages that are depicted in figure 1, as they apply to a given context of facilitating public participation.³⁴

4. Public Surveys and the Work of the South African Parliament

As it has been mentioned numerous times above, in our South African context, public participation has always been one of the sacrosanct constitutional injunctions guiding the work of parliament. But as pointed out earlier on, while public participation has always remained central to the mandate of the South African Parliament, the nature of public participation has evolved since the dawn of democracy. The changing nature of parliamentary business and the evolution of the practice of public participation necessitated that, from time to time, the Parliament of the Republic of South Africa take a stock and reflect on its performance in this area. In part, until recently, this entailed gauging several metrics to understand if the institution is achieving its strategic goal of enhancing public involvement and participation.

In 2017, the Parliament of the Republic of South Africa commissioned an independent market research company to conduct a nationally representative survey which provides an inclusive and truly South African perception of Parliament. The broader objective of this research was to assist Parliament to realize its vision by placing people at the center of all its efforts.³⁵

³⁴ Ibid

³⁵ Parliament of the Republic of South Africa Public Participation Survey Report. January, 2019, Fourways, Johannesburg, South Africa

Undoubtedly, “citizen engagement in policymaking and the design of public services is the recognition that citizens in a democracy have both rights and duties, and that democratic governance provides opportunities for citizens to participate actively in shaping their country”.³⁶ Such public participation entails identification and incorporation of the views and concerns of the public into the law-making process and the work of Parliament. To this end, during the 5th Parliamentary term, there was a realisation that to enhance Parliament’s vision, there is a need to ensure that public participation and involvement is encouraged and facilitated by all stakeholders. But in turn, to fully realise that objective, Parliament therefore required research to measure levels of public participation and understanding, as well as other related matters, which may then be used to track the effectiveness of Parliament’s interventions. It is this realisation that led to the commissioning of the external service provider to conduct an independent survey.

The public participation survey was developed according to the new developmental approach adopted by Parliament to achieve the strategic priority on public involvement and participation and with the following institution’s five strategic priorities in mind:

- Strengthening oversight and accountability;
- Enhancing public involvement and participation;
- Deepening engagement in international mediums;
- Strengthening co-operative government; and
- Strengthening legislative capacity

At a general level, the survey analysed the perceptions of South African’s regarding Parliament’s contribution to promoting public involvement in law making, monitoring the government’s actions and the implementation of laws. It focused on the representational role of Parliament, thereby examining how it is perceived as responding to the growing public pressure for greater involvement, information, accountability and better service delivery to South African citizens. The survey also illustrated the different channels that parliament can use to better engage with the citizens to fulfil its role of public involvement. Furthermore, the survey measured South

³⁶ IPSOS Report, 2019

African citizens' understanding of parliament's mandate, their awareness of Parliament and perceptions of the performance of parliament.

But in particular, the main objectives of the survey were to:

- Establish the level of public awareness and knowledge of Parliament;
- Ascertain public understanding of Parliament's three-legged mandate consisting of lawmaking, oversight, and promotion of public involvement;
- Gain an understanding of the citizens who rate Parliament's performance positively on its constitutional mandate;
- Determine which portion of the population know how to participate in Parliament processes;
- Understand the portion of the population which currently has access and participates in the processes of Parliament;
- Establish the preferred medium of communication between Parliament and the electorate.

4.1 Public Survey Research Methodology

The following methodology was adopted for this particular survey. Firstly, the Parliament's Public Participation Survey was placed on an all-inclusive omnibus survey. Thus, it formed part of a questionnaire that was posed to randomly selected adult South Africans. This section of the questionnaire was designed by Parliament with input from the researchers. In-home face-to-face CAPI (Computer Assisted Personal Interview) interviews were used to complete the survey. The total questionnaire was on average 45 minutes in length and respondents could choose to have the interview administered in English, Afrikaans, Zulu, Xhosa, Setswana, Sepedi or Sesotho.

Secondly, interviews were conducted amongst a nationally representative sample of adult South Africans (aged 15 years and older), including all population groups in all provinces and amongst all community sizes, ranging from metropolitan to rural areas. Fieldwork took place between the 25th of October to the 4th of December 2018. A total of 3,571 interviews were conducted in a nationally representative manner. This was then weighted and projected so that the results represented the entire adult South African population (15 years of age and older). The study was conducted over a period

of two phases in the financial year 2017-2018 and it is also currently commissioned for the current financial 2019-2020.

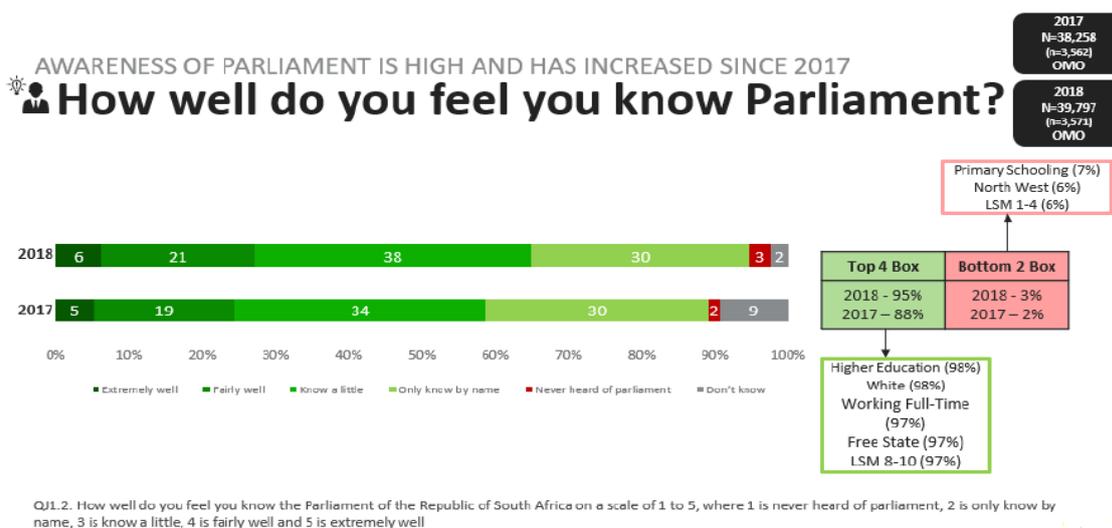
4.2 Results of the Recent Surveys and future implications for the work of the South African

While the survey focused on public participation broadly, its findings were grouped into the following six thematic areas:

- Awareness of Parliament;
- Familiarity with Parliament;
- Understanding of Parliament’s mandate;
- Evaluation of Parliament’s performance in achieving its functions;
- Preferred medium of communication between Parliament and the electorate
- Action and participation in processes or activities of Parliament

4.2.1 Awareness of Parliament

In 2018, a number of developments with far reaching implications happened in the country’s political landscape. In fact, 2018 entered the country’s historical annals as a turbulent period, with many major political shifts and reshuffles deepening the already complex political landscape.³⁷



³⁷ IPSOS Report, 2019

In fact, as a result of the major political changes which occurred in 2018, such as the resignation of the then president of South Africa and the implementation of land redistribution without compensation, South Africans were more aware of Parliament when compared to 2017. In percentage terms, 95% of South Africans aged 15+ were aware of the existence of Parliament, 7 percentage point higher than the awareness levels in 2017. The number of people who felt unsure about how well they know Parliament also improved, decreasing from 9% in 2017 to 2% in 2018.

In as far as provincial variables, such as gender, age and racial awareness of Parliament is concerned, there were some noticeable disparities.

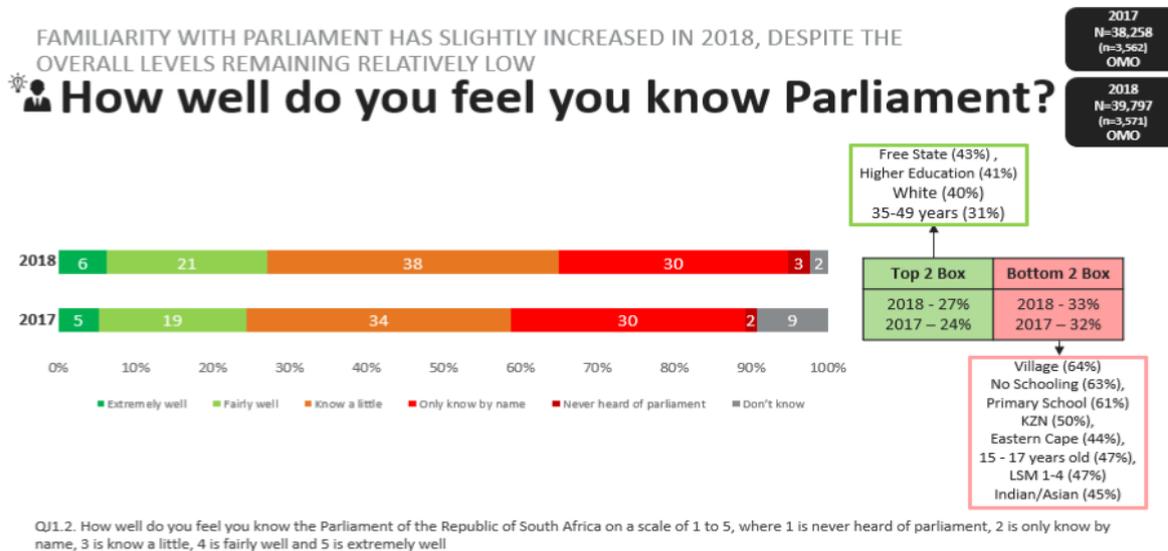
For instance, while in 2018, awareness levels were relatively stable across different age groups, racial communities, and geographic locations, nonetheless, the highest was skewed towards Coloured communities (98%) and within the Northern Cape (97%) and the lowest among 17-18-year olds (91%). In terms of gender, awareness levels were the same for both males and females at 95%. It was also noted that awareness of Parliament seems to decrease with age, with 94% (1 percentage point lower than the national average) of 18-24-year-olds and 91% (4 percentage points lower than the national average) of 15-17 years olds being aware of Parliament. In terms of race, white South Africans were found to have the lowest levels of awareness of Parliament when compared to other race groups at 92% (3 percentage points lower than the national average). Regionally, Gauteng had the lowest levels of awareness.

Still on the very same theme of awareness of parliament, the survey also took a comparative approach and in comparing the South African Parliament to the European Parliament, the survey found that the awareness of the latter was high, with 93% of EU citizens claiming to be aware of their Parliament. In part, this can be explained by, firstly, the demographics that vary between South Africa and Europe. Secondly, the European Parliament's awareness campaigns were found to be effective since they invested heavily in publications, information, and participation in public events, organizing seminars, symposia, and cultural activities. When comparing the awareness levels of parliament in South Africa (95%) to that of the European Parliament (93%), the South African Parliament performed very well, trailing slightly ahead of the European Parliamentary awareness. The positive performance of the South African Parliament followed a lower performance in 2017 at 88%, indicating that

in 2018 the South African Parliament has improved greatly in ensuring the public awareness generation.

4.2.2 Familiarity with Parliament

Opportunities for the public to engage in governance and participate in political and decision-making processes depend largely on whether they are familiar with parliament and understand their right to participate in formal or informal engagement – this is beneficial for a vivid and resilient democracy³⁸.

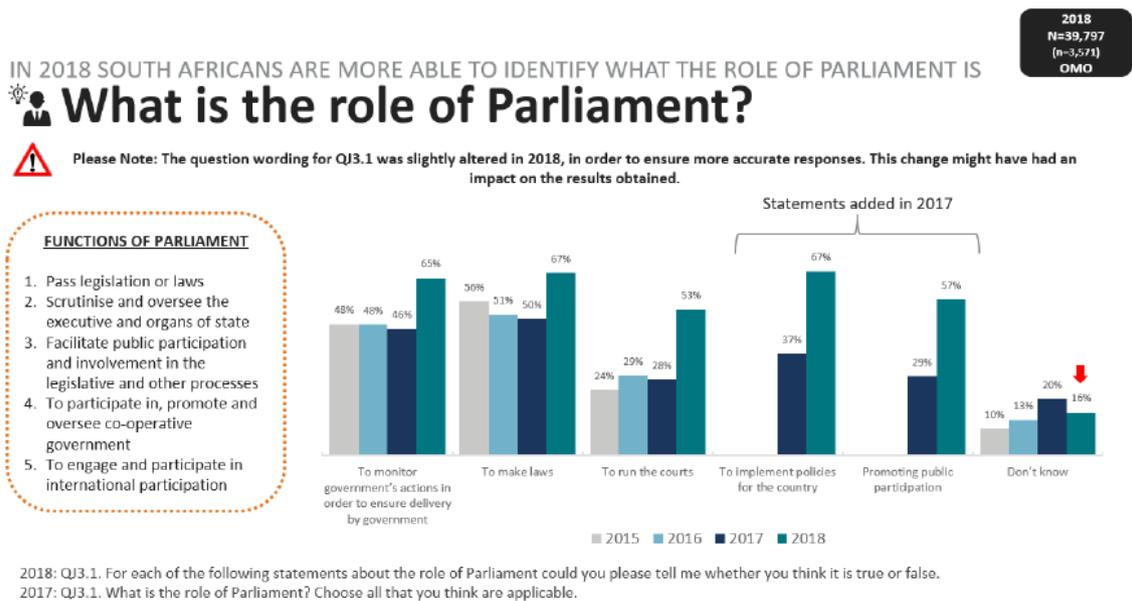


In 2018, knowledge of Parliament remained low, with only 3 in every 10 (27%) South Africans indicating that they know Parliament “extremely well”/ “Fairly well” and one third (33%) “knowing it by name”/“Never heard of it”. The familiarity of Parliament improved most within the Free State and decreased most in KwaZulu Natal. Familiarity, among the Indian/Asian population, also declined, with 45% having very limited awareness (“knowing it by name”/ “Never heard of it”).

4.2.3 Understanding of Parliament’s mandate

³⁸ Ibid

Parliament's constitutional mandate includes: serving as a national platform for dialogue on issues affecting South Africans, a forum for the participatory formulation of appropriate legislation, a council to provide oversight as well as to hold the executive accountable.



In 2018, South Africans were more able to identify the roles and functions of Parliament. This finding was interesting when considering that the level of familiarity of Parliament remained low. The survey found that 63% of South Africans agreed that they have a firm understanding of the roles of Parliament. Most South Africans considered Parliament's mandate to be to make laws (at 67%) and to implement policies for the country (at 67%). This was closely followed by the oversight of government performance to ensure service delivery by the government (at 65%).

Despite improved understanding of what the roles of Parliament are, it was noted that on average only 49% of the Indian/Asian population was able to successfully identify the roles and functions of Parliament, this population group was also found to be less able to identify the roles of Parliament when compared to other race groups. This indicates that the Indian/Asian population is in critical need of attention as both

familiarity of Parliament and understanding of the roles of Parliamentary functions of Parliament is low.

Furthermore, despite residents of the Free State having the third highest familiarity of Parliament, knowledge of the roles of Parliament in this province also demonstrated lower levels of awareness, when compared to other provinces. It was found that 50% (1 out of 2) of South Africans living in the Free State were able to identify the roles of Parliament – 13 percentage points lower than the national average. These results also indicated that while the people in Free State were aware of Parliament, they were unsure of the role Parliament plays within the South African context.

4.2.4 Evaluation of Parliament's performance in achieving its functions

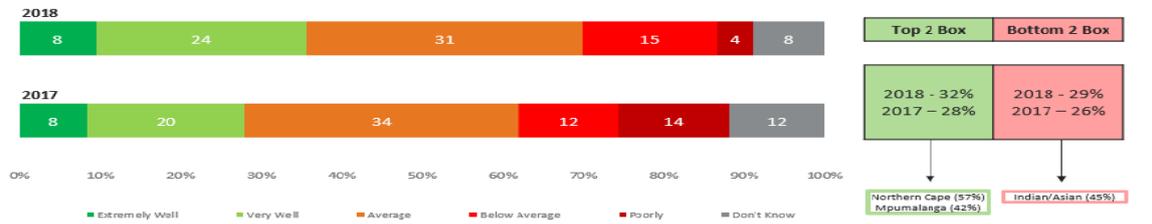
The evaluation of Parliament's performance in achieving its mandates revealed a diverse range of opinions, with the general trend leaning towards a slightly more negative evaluation. Just over 1 quarter (28%) of South Africans felt that Parliament was performing extremely well/very well. Conversely, 3 out of every 10 South Africans (31%) agreed that parliament is not achieving its mandate and is performing below average or poorly. The remaining third (32%) took a neutral approach.

Racial, age and geographic demographics revealed a similar trend, with a slightly more negative evaluation of Parliament. The only exception to this trend was found among 25-34 years' old's, residents of the Western Cape, Mpumalanga, Limpopo, and Northern Cape, these population groups felt slightly more positive towards Parliament's performance. Of those rated Parliament as performing extremely/very well, those who reside in the Northern Cape felt the most positive with just over half (55%) of residents rating Parliament as performing extremely/very well. Of those South African's who have a strong negative opinion regarding Parliament's performance, most 41% were Indian/Asian, 39% reside in the North West and 37% reside in the Eastern Cape.

As shown below, in terms of the mandates of Parliament, making laws is the only role which Parliament was evaluated in a slightly more positive way, with 32% feeling that this mandate is being executed extremely/very well.

How well is Parliament performing ?

Making Laws

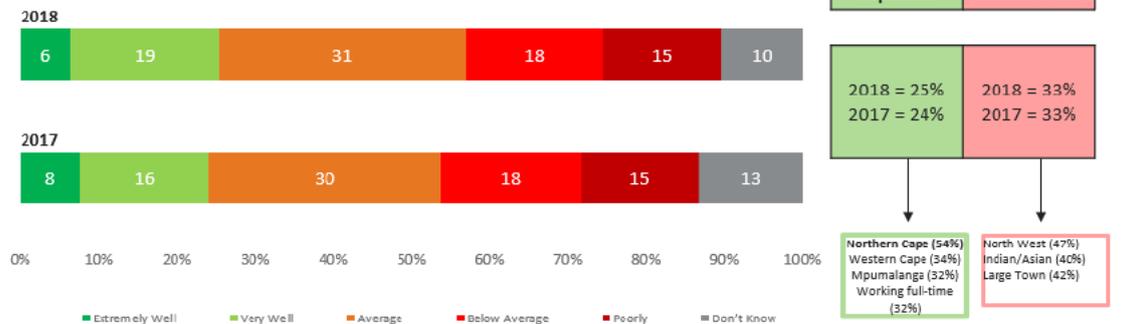


QJ3.2. On a scale of 1-5 where 1 is poorly, 2 is below average, 3 is average, 4 is very well and 5 is extremely well, how well is Parliament performing on the following

Other mandates such as promoting public participation and monitoring government actions to ensure service delivery by government, yielded more negative ratings. Promoting public participation was identified as a mandate in need of critical attention as 40% of the Indian/Asian community and 42% of South African's who live in large towns rated Parliament as performing below average/poorly.

How well is Parliament performing ?

Promoting public participation



QJ3.2. On a scale of 1-5 where 1 is poorly, 2 is below average, 3 is average, 4 is very well and 5 is extremely well, how well is Parliament performing on the following

The varying opinions of South Africans revealed that Parliament might be neglecting certain areas and not providing consistent and equal fulfilment of its roles and functions. It is also interesting to note that while Parliament continues to have relatively low levels of awareness, knowledge of what parliament is required to do has drastically increased. It can be said that the negative evaluation of Parliament's performance in

terms of delivering its mandate, could be highlighting areas of concern for South African's regardless of whether they are fully aware of Parliament as a whole.

4.2.5 Preferred medium of communication between Parliament and the electorate

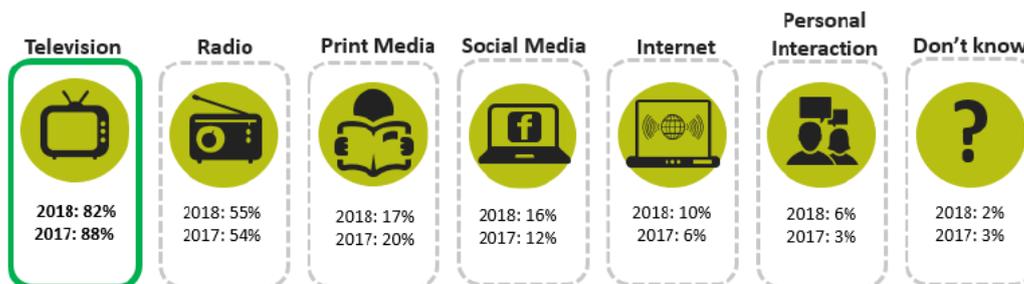
Similar to 2017 findings, in 2018 there was a good alignment in terms of the communication platforms used and those preferred; with 82% of South Africans having heard about Parliament through television medium and 82% selecting television as their preferred method of receiving communication from Parliament.

TELEVISION AND RADIO ARE THE MAIN MEDIA THROUGH WHICH SOUTH AFRICANS HEAR ABOUT PARLIAMENT

How did you hear about Parliament?

2017
N=38,258
(n=3,562)
MMP

2018
N=39,797
(n=3,571)
MMP



QJ1.3. How did you hear about Parliament?

According to the survey findings, Radio also continued to function as an important medium of communication with 55% hearing about Parliament through radio and 57% selecting radio as a preferred medium to hear about Parliament. While Parliament seems to understand which media channels South African's prefer, communication

regarding how to engage with Parliament remained low in 2018 – with 8 out of every 10 South Africans being uninformed about how to participate in Parliament and almost 3 quarters (72%) not having participated in any Parliamentary activities.

4.2.6 Action and participation in processes or activities of Parliament

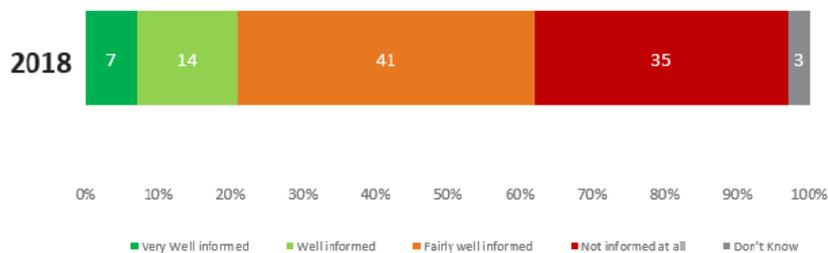
According to the survey findings, while most (41%) of South Africans agreed that they were fairly well informed about Parliament’s activities - there was still a notable number (35%) who felt that they were not at all well informed. Being informed about Parliamentary activities varied based on age, race, education, household income, and geographic location. With the most critical groups (in terms of being not at all well informed) including youth (aged 15-17 years), Indian/Asian and Coloured communities, individuals with a poor educational background (no schooling / primary schooling only) and residents of KwaZulu Natal and the Eastern Cape.

Participating in Parliamentary Processes

2018
N=39,797
(n=3,571)
OIVD

👁️ How well informed are you about Parliaments activities?

NEW QUESTION



Q18. In general, how well informed are you about Parliaments activities?

Almost half (48%) of South Africans were interested in learning more about the activities of Parliament. Residents of the North West (61% very interested) and those that have no household income (61% very interested) were most interested in developing their knowledge of Parliament. While most South Africans indicated that they would like to know more about Parliament, there was a notable number (27%) that was not at all interested in knowing more about Parliament. Of those who were least interested, 48% had no formal schooling and 44% were Indian/Asian. These findings indicate that not only are those with limited education and those who are part of the Indian/Asian community the least informed about Parliament's activities, but they are also the least interested in finding out about Parliament's activities. This demonstrates a barrier to engaging with these individuals.

5. Conclusion

As this paper has sought to illustrate, as veritable hubs of democracy, besides representation and safeguarding their power of the purse, modern day parliaments, are expected to also play a more meaningful role not only in carrying people's hopes and aspirations- but also in harnessing developmental efforts by, amongst others, providing a platform for people to influence and shape decision-making processes about development of their communities.

Our first generation of law-makers in the democratic dispensation were cognisant of this fact and were aware that an effective avenue for the provision of public participation is one of the hallmarks of a democratic government. This is why public participation was constitutionally entrenched in the country remained one of the constitutional imperatives guiding the work of the South African Parliament. But as discussed in the paper, while public participation has always remained central to the mandate of the South African Parliament, the nature of public participation has evolved since the dawn of democracy. It is that evolution, the need for harmonization and standardization of practices, together with emerging jurisprudence that necessitated the development of public participation frameworks and models,

But development of models and mechanisms for deepening public participation alone was not enough, the institution needed to gauge its performance in implementing such mechanisms and in discharging its constitutional duty of facilitating meaningful public involvement. This is why the independent survey was commissioned- which revealed

a mixture of realities (both the positives and negatives) regarding the work of the institution on this area of public participation.

6. Recommendation

Firstly, the research findings showed that South Africans what the roles and functions of Parliament are but they struggle to grasp what the concept of Parliament is. As such, the recommendation is that, in our context, our Parliament would need to initiate campaigns that aim to inform South Africans about the basic principles of Parliament such as what it is and how does it work- doing so in a user-friendly and engaging manner.

Secondly, the survey also demonstrated that South Africans are interested to learn more about Parliament and to play a more active role in Parliamentary activities. However, limited knowledge of how, where, when and why to engage acts as a major barrier. As such, the recommendation is that, in our context, our Parliament would need to implement public participation strategies that inform the public why they should participate and clearly outline the steps of how to find and participate in parliamentary activities.

Lastly, since the survey discovered that parliamentary roles and functions can easily become intertwined with the roles and functions of political parties- there is a need to distinguish and separate the roles and functions of Parliament from the socio-political agendas of political parties.

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