



RICHARD SMITH

# Lifting the lid

democr

that it is c

and public p

But the problem, says SUE VALENTINE, is how to t

**T**HERE can be no doubt that South Africa's first democratic parliament has taken important steps towards creating more transparent procedures. But drafting new parliamentary rules and putting new systems in place is only the first, and comparatively easy, step in the process. The larger and more complex task is to create a culture of openness and to translate the laudable language of "accessibility" and "accountability" from theory into practice.

It is a task that has considerable budgetary implications. For example, if the over 20 parliamentary committees are to be effective in canvassing the views of communities likely to be affected by specific legislation, the potential costs are enormous. It is also a task

that challenges the media to be more creative in their coverage of parliamentary affairs, so that the broadest possible public is informed.

These were among the points made at a recent workshop on parliamentary processes, hosted by Idasa and the Open Society Foundation of South Africa in Cape Town. The workshop brought together key members of parliament and civil society to look at what it means to ensure openness, transparency and accessibility in parliament.

A disappointing start to the proceedings was the non-appearance of the Speaker of the National Assembly, Frene Ginwala, who withdrew at the last minute. However, presentations by Deputy Minister of Constitutional and Provincial Affairs Mohammed Valli Moosa, President of the

Senate Ke  
parliamen  
Suttner a  
made for

A lone  
parliamen  
Speaker o  
Although  
openness  
legislative  
he stolid  
Western  
committe

- a stand  
Offerin  
Doman s  
wanted t  
testimoni

standing committees would "hear evidence in secret in the hope that this would promote transparency". In addition to wanting to protect witnesses, a further argument for *in camera* sittings was to allow maximum room for politicians to reach the compromises that were inevitably necessary in standing committees.

In his presentation on "Public Access to Parliamentary Committees", Suttner said that most members of parliament were strongly committed to the establishment of a process facilitating public participation in law making. He said that new rules for this process had been formulated and would come into effect from 1995. Once a bill was introduced in parliament, a minimum period of three weeks would be allowed for public comment.

"Who is the public and how do we solicit their interventions?" Suttner asked, adding that it was necessary to remember that it was easier for some people to intervene than others. A related difficulty was that the language of the legislative process was often disempowering and the *Government Gazette* "boring to read".

One solution was for non-governmental organisations (NGOs) to help make parliamentary processes and information accessible. This could include advising people

on how to find out about proposed legislation and how and where to attempt interventions.

Suttner said the new parliamentary rules provided for members of parliamentary committees to travel around the country to hear people's views and consult them about their needs in relation to proposed legislation. But at this stage no budget existed to make such consultation practically possible.

"There are two very urgent priorities: to introduce new legislation and to transform the processes by which it happens so that we can hear the views of the public," Suttner said. "Some committees are functioning very well, but others complain that they only hear about new legislation via the press and not from the minister or deputy minister."

There also needed to be greater public awareness of how parliament had changed. "The parliamentary programme continues as if there were no new structures in place. Very often parliament looks empty, but many of the MPs are working in the standing committees."

"The standing committees are smaller forums in which in-depth discussions can take place. The tendency in plenary sessions is that they turn into slanging matches prepared for media attention. It is much harder to posture when you're working in a standing

committe

Noting relatively activities' of the vari committe plenary se possibility quorum f

Veteran Streek wel ing comm adding th that jour process. H individual tary proce

"MPs an leadership constituent partners, interests. pressure a and ego."

It was th publicly d directorsh received a

## No 'sliding away' from democracy

**I**F OPENNESS and accountability are vital in South Africa's new parliamentary process, they are equally essential in the Constitutional Assembly as it begins its task of drafting the new Constitution. This was the message delivered to the Idasa and Open Society workshop by Deputy Minister of Constitutional and Provincial Affairs Mohammed Valli Moosa.

Stressing that institutional measures needed to be created which would "make it impossible for there to be a sliding away from democracy", Moosa said:

"We must ensure that we do not

enhance our young democracy". Moosa was at pains to stress the importance of all South Africans understanding how the CA is structured and how it will function. Even more challenging, he said, was to find means by which the actual deliberations of the CA could be publicised, particularly when much of its daily agenda was not deemed "newsworthy" by the mainstream media.

Moosa mapped out a "CA at a glance" diagram showing that the bulk of its work

Constituti with formu constituti

● smaller appointed

● a pane Member is roughly representa

Moosa s the public drafting th people cou various str However, t