

Parliamentary Committees: Strategy for improved information use



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Declaration

I, the undersigned, hereby declare that the work contained in this assignment is my own original work and that I have not previously in its entirety or in part submitted it as any university for a degree

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Abstract

South Africa's ten year old democracy puts great emphasis on being a participatory government, where citizens are able to engage with the policy and legislative process. An important aspect of this is the role played by Parliament which is not only the place where citizens are able to make their voices heard, but is also an important mechanism in keeping the government in line with the views and needs of the "people". Its role of oversight (of the government departments) is a critical one in keeping the democracy intact, and an important part of this is their ability to access and use information from a wide range of sources.

The purpose of this assignment was to consider the current use of information in Parliament and identify the flaws in the management and use of information by Parliamentary Committees. A number of questions are posed, questioning whether the current management and use of information allows Parliamentary Committees to fulfill their obligations in terms of the Constitution.

In exploring these questions I have provided background to the role that NGOs have played in the past in South Africa, with specific reference to their relationship to Parliament/government and their expertise in the area of sustainable development. I have explained the role of Parliament (and more specifically the Parliamentary Committees in South Africa), as envisaged in the Constitution, as well as the problems facing Parliament in fulfilling these roles. I also indicated the ways in which civil society organizations could assist Parliament in fulfilling its role as effectively as possible.

After considering the various theories of information and knowledge management a model was built on which the current information behaviors of Parliamentarians, specifically with regard to their work in the Committees, could be evaluated. Various key problems were identified and elaborated on. A strategy was outlined to address some of these problems.

Opsomming

Suid-Afrika se tien-jaar oue demokrasie benadruk die feit van deelnemende regering waarin burgers in staat is om in te skakel by die beleidmakende en wetgewende proses. Een belangrike aspek hiervan is die Parlement, wat nie net die plek is waar burgers hul stem kan laat hoor nie, maar ook 'n meganisme wat die regering in lyn kan bring met die beskouings en behoeftes van "die mense". Die rol van toesighouding oor regeringsdepartemente is van kritiese belang om die voortbestaan van demokrasie te verseker. 'n Belangrike aspek hiervan is die vermoë om toegang te hê tot en gebruik te maak van inligting oor 'n wye reeks dienste.

Die doel van hierdie werkstuk was om die huidige gebruik van inligting in die Parlement te ontleed en die tekortkominge in die bestuur en gebruik van inligting deur Parlementêre Komitees te identifiseer. 'n Aantal vrae word gevra of die huidige bestuur en gebruik van inligting deur Parlementêre Komitees hulle toelaat om hul Grondwetlike verpligtinge na te kom.

In my ontleding van hierdie vrae het ek agtergrond verskaf oor die rol wat NGO's in die verlede in Suid-Afrika gespeel het, met verwysing na hul verhouding met die Parlement / regering en hul bedrewenheid ten opsigte van volhoubare ontwikkeling. Ek het die rol van die Parlement (spesifiek Parlementêre Komitees) in Suid-Afrika verduidelik aan die hand van konstitusionele vereistes, asook die probleme vir die Parlement in die uitvoering hiervan. Ek het ook maniere aangedui waar burgerlike Samelewingsorganisasies die Parlement kan bystaan om sy rol so effektief as moontlik uit te voer.

Nadat die verskillende teorieë van inligting- en kennisbestuur ontleed is, is 'n model ontwerp waarmee die huidige inligtingspraktyke van parlementariërs gemeet kan word, veral met betrekking tot hul werk in Komitees. Verskeie sleutelprobleme is aangedui en uiteengesit. 'n Strategie is ontwerp om sommige van hierdie probleme aan te spreek.

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<p style="text-align: center;">Chapter One</p> <p style="text-align: center;">Introduction and purpose of study</p>

1.1 Introduction

The importance of a strong Parliament in a participative democracy such as South Africa's is widely acknowledged¹. An essential role in this democracy is played by the parliamentary Committees, where the core of Parliament's work is done, and where the public are able to engage with policy and legislative issues through submissions and public hearings². Finsten (2002:2) says that "This is where the action is – policy development, in depth issue studies, departmental oversight, legislative work and review of government spending".

In some countries Parliamentary Committees struggle to play a meaningful role as they often lack resources and therefore are unable to get all the relevant information, which would assist them in making sound decisions (Kargbo, 1999). Kargbo also notes that democracy assumes that people have access to facts and opinions from a wide range of sources and a lack of this, and over reliance on information provided by the Executive, can result in Parliament being reduced to rubber stamping legislation that is developed by the Executive. It is important therefore that Parliamentary Committees have access to, and use, information from a wide range of sources, allowing them to make considered recommendations to Parliament.

This study will discuss the South African Parliament and the extent to which the Parliamentary Committees use information effectively and whether their access to information could be improved.

¹See for example Calland (1999), Heinrich (2001), Contact Trust (2003)

² In South Africa, unlike in for example the USA, the only place where civilians can formally engage with policy and legislation is in Parliament.

1.2 Role of information in Parliament

Information plays an important role in the work of MPs and is used in a variety of ways. Robinson and Hyde (quoted by Mostert, 2004) note that information is needed to provide background for informed decision making, build capacity of representatives, supply a common body of facts that can facilitate political agreement, provide legitimacy of the legislature's actions, and enhance the role of the legislature in the overall policy process of the nation. In a similar vein Martell (1994) found that MPs need information for participating in debates, asking Parliamentary questions, making speeches, answering correspondence, appearing in the media, communicating with the electorate, visiting constituencies, and to ensure their re-election.

Mostert (2004) notes that the legislature also needs access to information to generate and maintain public support. She states that an effective legislature is key to democracy and that the key to an effective legislature is enough knowledge and information to make informed decisions.

1.3 Information for decision making

In South Africa Parliamentary Committees are tasked with two key responsibilities:

- 1./ Passing policy and legislation
- 2./ Overseeing the activities of government departments that fall under their portfolio.

In both of these activities the Committee will discuss an issue and make recommendations to the Plenary based on decisions made by the Committee. Information plays an important role in this decision making process. Orton, Marcella and Baxter (2000) refer to Parsons' (1995) division of information available in government decision making into four quadrants:

- Knowledge generated from government that may or may not be public
- Information generated from outside government
- Information which can be found through informal discussions with experts but which will only be generated when commissioned by government
- Information generated by informal communication between government insiders

Information from civil society³ would fit into the second and third category, and could play an important role in assisting Committees decision making. It is quite possible that effective communication and sharing of information between Parliament and civil society organizations could play an important role in building the capacity of Parliament and strengthen democracy.

1.4 Challenges to information provision

Committees face many barriers in accessing information. Firstly they are usually constrained in terms of resources. They do not have researchers attached to them, so they must find the information themselves, and are of course constrained in terms of time. This means that they usually access information which is easily available (i.e. from the Departments).

Apart from challenges caused by a lack of resources, there are also challenges facing MPs in accessing useful information. Kimbunga (1996) highlights the fact that rather than exhaustive information, it would be better to provide a selection of useful and essential information on the context of the request. Targeting NGOs in the sector could assist in this as they would understand the issues enough to be able to identify what information is useful and what is not, and they would have a wealth of up to date data and information available to them.

Crowley (2001) also refers to the problem of a huge overload of information. But in addition he refers to the problem of scarce information in areas where there has previously been no legislation – genetic modification, for example, or human cloning. Here again, experts in the field could play an important role in providing access to relevant information.

1.5 Civil society as a source of information

As will be seen in later chapters, South African MPs currently rely heavily on government departments for information. However there is also a very strong and vibrant civil society and

³ There are many definitions of civil society. For the purpose of this study the definition will be based on that of CORE (Camay and Gordon 2001) and civil society refers to organizations that are “located between the State, Family, Business and government”. Civil society thus refers to non-governmental organizations (NGOs), community based organizations (CBOs) and church organisations for example.

Parliamentary Committees do use the expertise of civil society organizations in some cases. However this is not always, or even often, the case. This means that in reality *there is a large amount of information available to support the work of Committees which could be accessed at little or no cost but which is not being used*. This information would come from experts in the field – those organizations who hold large amounts of expert information and whose experience and insight can assist the MPs in forming opinions and making decisions.

By developing a model of information use by Parliamentary Committees this paper will evaluate their current use of information sources and develop a strategy for the improved access to and use of information by Parliamentary Committees. A mechanism which allows MPs to access NGOs for information directly and on an ongoing basis will be developed, which would greatly increase the resources available to Parliamentary Committees and increase their effectiveness.

1.6 Role of the Parliamentary Information Services Section

In South Africa the Parliamentary Information Services Section (ISS) is the key information provider for MPs and has been structured in a way to provide the best services to MPs. However Mostert notes that the traditional information services such as libraries are not popular sources of information for South African MPs. Instead MPs rely on newspapers and electronic sources of information. Civil society organizations are sometimes used, but not consistently and there are no formal structures in place for the sharing of information between Parliamentary Committees and civil society organizations, which means that the use of information from civil society is done on an ad hoc basis and it is clear that using this ad hoc means of accessing information from civil society means that Parliamentary Committees are unlikely to make the best use of information from this sector.

The Information Services Section could play a critical role in providing the channel of communication between Parliamentary Committees and civil society, while at the same time increasing their own profile and thus ensuring that Committees use their rich variety of information sources more effectively as well.

1.7 Research Problem and objectives

All of the above issues will be explored in more detail in the following chapters, but they point to the fact that information access is a complex and flawed process in Parliament and the extent to which the barriers to information access are addressed influences the effectiveness of the Parliamentary Committees' decision making process. The purpose of this research is to assess the types of information Parliamentary Committees use and the ways in which they select the information. Through this it will be possible to identify flaws and develop a strategy for more effective information use.

Key questions to be answered are:

1. Given the oversight role that the Legislature plays in the South African democracy, what are the key sources of information they should use to effectively evaluate the development and implementation of policy and legislation?
2. What currently are the information seeking behavior patterns of members of the National Legislature?
3. Are there any flaws in the information seeking behaviors of parliamentarians vis a vis question 1?
4. Are there ways in which easier access to information from civil society would enrich the information currently being used by Parliamentarians and/or address the flaws identified in question 3?
5. What key elements would a strategy for information sharing between Parliament and civil society need to have in order to improve their use of information?

1.8 Research design and methodology

In order to answer these questions a model of information use by South African Parliamentarians will be developed. Using this model the current use of information by Parliamentarians will be evaluated and a strategy which outlines ways in which Parliamentary Committees could improve their efficiency will be outlined.

1.9 Impact of research

It is hoped that the results of this research can be used by the Information Services Section (ISS) to improve their services and tap into new sources of information.

1.10 Conclusion: organization of study

This paper will start by providing some background on Parliament and the role of Parliamentary Committees. It will then provide some background to civil society in South Africa, and the potential it has to play a role in the provision of information to Parliamentary Committees. Using this information the paper will provide information on the current use of information in Parliament with specific reference to the Parliamentary Committees.

After a brief outline of current thinking on information use, this paper will develop a model of information use with specific reference to Parliamentary Committees. Finally it will propose a strategy for information provision to Parliamentary Committees from civil society organizations.

Chapter Two

The South African Parliament and role of committees

2.1 Introduction

The South African Parliament is tasked with developing and passing legislation, contributing to the development of policy, and overseeing the activities of government institutions. One of the key tools that it uses to do this is the Committee system, where small groups of Parliamentarians debate and discuss proposed legislation and policy, and oversee the activities of the government departments under their jurisdiction. As will be seen below in South Africa, as in other countries, the Committees, although successful in many ways, are often not working at their optimum level.

The new South African government is based on representative and participatory models of government, as outlined in the Constitution. It is representative in that all citizens over the age of 18 may vote, and it is participatory in that citizens are welcome (and indeed expected) to participate in the development of laws and policies in the country. This is done through Parliament, where Committees hold hearings and receive submissions from key stakeholders.

2.2 The Parliamentary System in South Africa

The South African constitution provides for three spheres of government: National; Provincial; and Local. For the purpose of this paper we will only be considering the National level. This sphere is responsible for setting broad policy guidelines and passing laws in many areas, for handling conflicts that may arise between provinces, and regulating areas in which national equity or uniformity are required.

The Constitution also provides for the separation of powers in government by outlining three arms of government: The Executive, the Legislature and the Judiciary. The executive is the administrative side of government – the President, Deputy President, Cabinet and Government

Departments. Their role is to initiate and prepare legislation and policy and co-ordinate the functions of the Departments and administrators.

The Legislature is Parliament as well as the provincial legislatures and local councils. Lala (2000:5) refers to Polsby's broad definition of Parliament as " a group of individuals operating on behalf of others in a binding and legitimate manner, making decisions collectively but with formal equality and overseeing the activities of the executive branch of government." She notes that the key functions outlined in this definition are:

- Legitimizing
- Linkage
- Decision-making
- Oversight

The Judiciary is made up of all the Courts in South Africa. It also operates at a National Provincial and Local level. The role of the Judiciary is to enforce the laws and uphold the Constitution.

2.3 *The National Parliament*⁴

At a national level the Legislature is divided into two houses – the National Council of Provinces and the National Assembly. The key role of these two houses is to develop and pass legislation, contribute to the development of policy, and oversee the activities of government institutions. The National Assembly is composed of 400 members elected every 5 years. South Africa currently uses the list system which means that each party provides a list of potential members and is allocated members proportionate to their percentage of the votes gained in the elections. The National Council of Provinces is made up of 90 members with each province providing ten members. Of these ten six are permanent while the other four can change. The key role of the NCOP is to ensure that provincial interests are represented in the National Parliament.

⁴ As noted above this paper focuses on the National Parliament, and therefore the make up of the provincial and local levels of the Legislature will not be considered.

2.4 *The process of law making*

The process of law making is as follows. Usually laws are drafted by the Departments, submitted to Cabinet for approval and then tabled in Parliament. There are occasions where individual MPs or Parliamentary Committees can propose laws. This happens rarely however and these laws will still be tabled in Parliament and follow the same process as those proposed by government departments. Once tabled, the draft legislation is referred to a Committee which deliberates on it and either accepts it or refers it back to the Department for changes. Once they are happy with it, it is debated on and voted on in the National Assembly (after a member of the Committee has outlined the Committee's discussions and recommendations). After that it follows the same process in the NCOP who may make changes (if the law relates to the provinces) or recommend changes (if it is a national law). Finally it is given to the President for Assent where upon it becomes law.

2.5 *Committee system*

*Committees form an integral component of the wider institution, with connections to the "real world" of interest groups and expert knowledge.
(Zajc quoted in Calland 1999:29)*

As in most democracies the South African Parliament is expected to oversee the activities of the executive branch of government. Lala (2000:1) refers to Bagehot and Shaw who note that in both new and established democracies Parliament's have not been successful in this role. Lala refers to the increasing complexities and sophistication of the executive arm which makes the oversight function very difficult for Parliaments. She notes that for this reason the Committee system has become increasingly used, as Parliamentary Committees can, as they are smaller, deal more effectively with the complexities of issues in a particular sector.

In South Africa the Parliamentary Committees are a key structure in both the NCOP and the National Assembly – Portfolio Committees in the National Assembly and Select Committees in the NCOP. There are also ad hoc Committees and Joint Standing Committees. These Committees are where much of the real work of Parliament is done as it is difficult to ensure

proper debate in the National Assembly and NCOP Caucus. To address this problem the Committees have in depth discussions and make recommendations to the National Assembly or National Council of Provinces. The Committee system therefore allows Parliament to

- increase the amount of work done,
- ensure that issues are thoroughly debated
- Enable MPs to develop expertise and in depth knowledge of specific sectors
- Allow members of the public to make submissions – ensuring that SA is a participative democracy

The Committees are expected to thoroughly debate proposed policy and legislation and oversee the activities of Parliament and the respective Departments. As noted earlier they may also initiate and prepare legislation. In addition to the above, according to the National Assembly's Standing rules, the Committees must deal with other matters referred to it by the Speaker or by a resolution of the House. A committee also has the power to summon any person to appear before it to give evidence on oath or affirmation, or to produce any documents required by it. This allows it to thoroughly debate all aspects of any legislation referred to it. Typically it will receive briefings from the government departments, as well as other relevant stakeholders, including civil society organizations, parastatals, corporate entities, and legal representatives who advise on the constitutionality of the draft legislation.

The rules of Parliament also grant Committees the power to “monitor, investigate, enquire into, and make recommendations relating to any aspect of the legislative programme, budget, rationalization, restructuring, functioning, organization, structure, personnel, policy formulation or any other matter it may consider relevant, of government department or departments falling within the category of affairs consigned to the Committee” (quoted in Calland 1999:31).

This role of oversight is a very important part of the Parliamentary Committees' work but is also probably one of the most difficult, as Parliamentarians are not able to visit all the provinces on a regular basis. One way of ensuring that the oversight function is performed is by holding public hearings on a topic related to government policy development or implementation where members of the public and community groups can comment on a Bill or Act. Another is to undertake

oversight visits (or study trips) to the provinces (time and money permitting) to see how effectively policy and legislation is being implemented and to understand the voting population's experiences of the government's performance.

Oversight is politically an important role for the Committees. Corder et al (1999:3) notes that oversight refers to “ a function of a legislature which flows from the separation of powers – which simultaneously provides for checks and balances on the exercise of the executive power – and the concept of responsible government, like law-making, which entails certain powers. Foremost among these is the power to hold the executive accountable. Monitoring the implementation of legislature goes to the heart of oversight role.”

2.6 *Conclusion*

Committees play an important role in Parliament, overseeing the activities of government departments, and ensuring that the needs of all stakeholders are being considered. They are often the only way that communities and individuals can have their voices heard around specific issues. In both their major roles – that of oversight and that of recommending the passing of policy and legislation, it is essential that they have access to a wide range of information from a variety of sources. As will be seen in the following chapters this is not always the case, and there are certainly ways in which their access to information can be improved.

Chapter Three

Civil society in South Africa – history and current status

3.1 Introduction

The term “civil society” refers to organizations that are neither part of the state or the market but provides a counter-balance to both. For the purpose of research done in 2001 the Co-operative for Research and Education, IDASA and SANGOCO (Camay and Gordon 2001) defined “Civil Society” as :

“The Sphere of organizations and/or associations of organizations located between the family, the state, the government of the day, and the prevailing economic system, in which people with common interests associate voluntarily. Amongst these organizations they may have common, competing or conflicting values and interests.”

They list non-governmental organizations, non-profit organizations, community based organizations, trade unions, religious organizations and professional associations as civil society organizations. They exclude political parties, universities, government established organizations and grant making institutions as well as statutory institutions.

(2001:7)

3.2 Civil Society in South Africa

Kihato and Rapoo (1999:49) refer to the key indicators of a strong civil society as being

- 1./ the range of activities engaged in
- 2./ the variety of institutional types (membership and non-membership, community based, interest groups, advocacy groups, welfare groups)
- 3./ longevity (some organizations in South Africa have beginnings dating back to the 1800’s),
- 4./ wide ranging engagement in formal and informal processes
- 5./ confidence in their ability to influence the policy and legislative process.

In these terms South Africa has a diverse civil society which is actively engaging with the government and contributing to strengthening democracy. And as many of these organizations have been in existence for more than a few decades, they also have a wealth of information, knowledge and skills relating to development. However as a relatively independent group they have also found themselves at loggerheads with government departments on many occasions both during apartheid and in the new democratic era. Michael Bratton, quoted in Kotze (1999) talks about the state wanting to control non-government organizations (NGOs) through regulations as NGOs are of the few formal organizations that have some autonomy from the state but direct links at a grassroots level. Kotze (1999:17) notes that despite the many different definitions of civil society they have in common a political aspect – “ because it is essentially about power – the power of non state actors to participate in decisions that have an impact on them.”

In South Africa civil society organizations have played an important role over the last millennium, particularly during the apartheid era, both providing services which the state would not provide (for example education, health care etc) as well as protecting the rights of people, and raising their political awareness. Heinrich (2001) quotes Habib and Taylor who say that the “existence of a large and vibrant NGO sector in SA dates back to the 1980’s where the slow liberalization of the apartheid regime and the new prominent role given to NGO is in international development initiatives coincided to foster the rapid expansion of the NGO sector in SA.”. They refer to four types of NGOs under apartheid:

- Those servicing the anti apartheid system.
- Liberal NGOs advocating change from within the system
- NGOs try to remain neutral while providing social services
- Large welfare bodies providing social services within the framework outlined by the apartheid regime.

An example of the apartheid era civil society organizations are the civic organizations that emerged in the 1970’s and 80’s (although their roots date back to the 1880s⁵). These civics

⁵ According to Glen Adler and Jonny Steinberg in their introduction to *Comrades and Citizens. The South African Civic movement and the transition to Democracy* (2000).

played a number of roles and were seen as alternate to the Black Local Authorities. They had a clear political agenda, but also assisted in solving local issues. As time went on the civics began to differentiate between first and second level organizations – first level being those that assist at a local level and second level being those organizations, such as the United Democratic Front, that had an overt political agenda.

Although the civics and other civil society organizations had in many cases been set up specifically in response to apartheid, and thus could be seen as time bound, they also upheld “timeless” principles such as democracy, participation and equality – principles which they expected a new South Africa to uphold. However, because they emerged in particular era, they have found the transition to democracy difficult as they needed to adjust to their changing role and the different environment. Although they had, by the late 1980’s, seen development as a strategic goal, this shift in focus was accelerated by the unbanning of the ANC and subsequent changes. During the transitions civics represented the communities around development issues at a local level. They also began to develop autonomy from the political parties they were associated with.

3.3 Role in the new South Africa

According to Albertyn (2002:53) the South African Constitution “establishes a State that is accountable and responsive to its citizens. As a constitutional democracy there is an expectation of an active civil society whose rights of association and expression are protected”. She notes however that if our democracy is participatory in form it is not yet so in practice. There are a variety of reasons for this including civil society lacking the resources to use the tools available to it, and the State’s lack of resources to assist. Albertyn notes that the State is “fragmented, uneven and sometimes contradictory in its relationships with civil society organizations” and “The conflict between social justice goals and fiscal constraints has been particularly visible.”

Adler and Steinberg (2000:18) note that “the success of developmental work hinges upon the participation of beneficiaries” and it is clear that there is an important role for civil society organizations in the new South Africa, despite the government’s ambivalent attitude. The new government has acknowledged this (in theory anyway) and sees civil society as a vehicle for

development and modernization and has therefore provided a place for civil society to engage with the development process – through NEDLAC. Heinrich (2001) notes that “in general, during the process of democratic consolidation, a strong civil society is commonly regarded as a crucial variable in determining the success or failure of democracy, and they play a number of crucial roles in this regard”.

Initially, with the Reconstruction and Development Macro economic policy Programme being seen as the tool for transformation and development the ANC noted the importance of active citizens:

“Development is not about the delivery of goods to a passive citizenry. It is about active involvement and growing empowerment --- the RDP requires fundamental changes in the way that policy is made and programmes are implemented. Above all, the people affected must participate in decision making” (ANC 1994 Reconstruction and Development Programme)

With this new spirit of cooperation NGOs were forced to adjust their strategies – from mass marches and protest mentality to negotiations and constructive engagement. Initially they appear to have done this successfully and participated in government consultations as well as through NEDLAC. Some NGOs were incorporated into the system and government interactions with other NGOs were, for the most part, cooperative and institutionalized.

Although it participated actively in the development of the new democracy, as time went by, the civic movement and other civil society organizations (CSOs) was gradually sidelined. For example SANCO was gradually excluded from key policy decisions around housing (Seekings 2000:205). They also became increasingly marginalized in structures such as Nedlac (Kotze 1996) and the Community chamber has become weak compared to the Business, organized labour and government chambers, with very little power. In addition to this, the government did not appreciate the watchdog role that the NGO sector had assigned itself – most obviously stated by President Mandela at the 50th ANC Conference in 1997 where he accused NGOs of not servicing the interests of the masses but being tied to foreign donors.

However, after recognizing that it has almost insurmountable capacity constraints in terms of providing services to the poor, the government has in the last number of years begun to court NGOs, seeing them as being able to fill a gap and provide expertise that they have not got easy access to. Kotze (1996:178) notes the great knowledge and expertise in South African NGOs saying “NGOs and CBOs had much to contribute to this giant societal undertaking (reconstruction and development). For years they had been on the cutting edge of development in the country, part of the national and international development networks, in close contact with the needs and dynamics of communities on the ground and had also developed (by trial and error) a sense of what works and what does not work in development practice.”. He goes on to say that in some fields smaller projects are more effectively and efficiently run by the NGOs and CBOs than by government departments. Kihato and Rapoo (1999:23) refer to NGOs consisting of non-membership based organizations who “are seen as public service agents, possessing valuable knowledge of social problems gained from working with grassroots organizations and social groups”.

3.4 Civil society and Parliament

It is clear in the constitution that civil society is expected to participate fully in the development of policy and legislation, and NGOs and other civil society organizations (CSOs) play critical roles in bringing the needs of marginalised groups to the notice of government. It is therefore of no surprise to find that of the organizations surveyed by CORE in their research (Camay and Gordon 2001), 43% were involved in lobbying and advocacy work. However Albertyn (2002) notes that “Civil society’s ability to express it self in policy and law making processes is facilitated by various procedures for public participation. Some of these have permitted extensive civil society involvement. Participation usually depends on the ability of an organization to harness technical and financial resources to intervene. As a result it is urban based, specialist advocacy organizations that tend to participate in the formal processes. In general the freedom of civil society to express itself in formal processes is mediated by deeper social and economic inequalities inherited from the past”. This sentiment is borne out by the figures outlined in the rest of this section.

Despite the RDP stating as one of its principles that reconstruction and development require a citizenry that is empowered through expanded rights, as well through having access to information and education, and an institutional network that fosters direct, representative and participatory democracy, 63% of CSOs interviewed by CORE (Camay and Gordon 2001) stated that they did not have sufficient access to Parliament. Twenty percent said that they did not have sufficient access to government. The ability of CSOs to engage with government is much better at local and provincial level than National. Only 26% said that they interacted with Parliament and 68% with National government departments, but 90% interacted with provincial departments, and 92% with local government. Fifty-eight percent said that they interacted with Provincial and local legislatures.

Part of the problem is that in order to access government and Parliament civil society organizations and people need tools to do so. Ease of access depends to a large extent on location, language, education levels, income and the extent of media outreach. Research by the HSRC (quoted in Camay and Gordon 2001) showed that less than 15% of South Africans said that they understood the SA legislative process, and only 7% had sufficient knowledge of the functions of the national legislatures. Just over 6% knew about public hearings at a national level. On the whole the CORE research (Camay and Gordon 2001:45) found that although there are legal and institutional mechanisms in place to ensure the rights to access, “much more needs to be done by citizens and government to make this happen in reality”.

Despite their engagement with government, civil society organizations have not been very effective in terms of impacting on the public agenda. One example of this are the Speak out on poverty hearings, held by SANGOCO in 1998 (along with the SA Human Rights Commission and the Commission on Gender Equality). The hearings themselves elicited huge response with some 10 000 people providing written and oral submissions on how poverty impacted on their lives. The hearings failed however to contribute to the policy dialogue around poverty eradication strategies. According to CORE (Camay and Gordon 2001:68) the recommendations concentrated on what government needed to do, rather than on what role civil society should play. Elsewhere it was noted that NGOs did not pursue the recommendations made at the hearings with government after the end of the hearings (Adler and Steinberg 2000).

CSOs are regularly invited to make inputs to legislative processes at a national, provincial and local level. Indeed 46% of those surveyed by CORE said that they have made written submissions to Parliament, 58% had made submissions on White or Green papers, and 33% had given testimony at Parliamentary Committees. In addition CSOs were able to give input at informal discussions with government officials as well as during workshops and seminars with government. However they felt that the processes were often flawed as they focused on urban areas, and some participants felt that they are not always listened to, and the process is seen as a smoke screen, fulfilling the government’s obligations but not necessarily allowing civil society to influence legislation (Camay and Gordon 2001:69).

In terms of civil society’s ability to influence government policy 68% of those interviewed felt that they did not have sufficient influence over government and 70% felt that they did not have sufficient influence over Parliament.

Impact of specific policy advocacy tools:

Strategy	CSO involved	CSO impact (%)		
		Great deal of impact	Limited impact	No impact
Written submissions to National Parliament	46	13	27	16
Submissions to white or green paper process	58	22	26	13
Testimony to Parliamentary Committees	33	15	22	12

The survey noted that “CSOs have the greatest impact when they work in coalition with other organizations, when interventions are made early in the process, and when adequate and sustained follow up is conducted”(Camay and Gordon 2001:72).

3.5 *Improving civil society engagement with Parliament*

Kihato and Rapoo (1999) refer to a number of factors that may inhibit civil society organizations' ability to effectively engage with the policy and legislative process, for example funding and institutional problems including administrative capacity, effective management and monitoring and feedback problems, and also capacity problems – lack of skills and professional expertise with regard to lobbying activities.

CSOs also appear to be ambivalent about government's sincerity in considering their submissions, and Kihato and Rapoo (1999:47) refers to the frustration felt by many NGOs that the substance of their submissions are not reflected in the final products. They claim that the government's participation process is simply to assert their legitimacy rather than to really consider the concerns of civil society.

3.6 *Conclusion*

Civil society has many insights and much knowledge that can positively contribute to the making of policy and legislation that is more relevant and suitable to addressing the needs of marginalised groups. However there are significant barriers to their involvement as discussed in this chapter. It is important that these barriers are addressed as research shows that formal policy influencing tools have greater efficacy than informal ones (Kihato and Rapoo 1999:47). Kihato and Rapoo also refer to statistics that show that organizations which contribute to green and white paper processes and make submissions to Portfolio Committees forums and government commissions rate their impact as better than those who engage in lobbying, petitions, mobilizing pressure groups and so on.

Parliament would benefit by trying to draw in the knowledge and expertise of civil society organizations when they deliberate on new policy and legislation proposals and when they consider the efficacy of the programmes and activities of the government departments which fall under their jurisdiction, as civil society organizations clearly have skills and expertise which would greatly benefit them in their deliberations regarding the policies and laws that are put before them.

Chapter Four

Theories of information use

4.1 Introduction

This chapter will briefly outline key aspects of current thinking around information and knowledge management in organizations. In the next chapter a model, based on these theories will be developed and will apply these theories to Parliamentary Committees, providing the basis for a strategy to improve Parliamentary access to and use of information.

4.2 Information management – a complex activity

Broadly speaking information and knowledge management refers to all activities relating to the acquisition of information, the use of information and the creation of new knowledge. As this paper is specifically interested in the effective use of information in the organization (i.e. Parliamentary committee) the model will restrict itself to the acquisition and use of information and knowledge creation required to fulfill the key tasks of the Parliamentary Committee – i.e. passing of policy and legislation, and overseeing activities of departments.

Organizations use information primarily to do three things:

1. Make sense of their environment
2. Make decisions
3. Create new knowledge

Choo (1998) warns against seeing these as three discrete processes, but encourages us to rather see them as three aspects of a whole cycle, linked to each other and supporting each other. He provides a model of a knowing organization and in this model information from the environment is sensed (sense making), it is assimilated, and new knowledge is created (knowledge creation), and then decisions are made (decision making), priming the organization for action. During sense making information is interpreted, during knowledge creation information is converted and in decision making information is processed. In the knowing cycle there is a constant flow of

information through the three processes of sense making (interpretation), knowledge creation (conversion) and decision making (processing).

How these processes work obviously varies from organization to organization but there are some general observations that can be made (Choo 1998:37):

- Information needs and uses must be analyzed in the context of the work setting, social setting and organizational setting of the users.
- Users obtain information from both formal and informal sources, and the informal sources are as important, if not more so than the formal ones.
- A large number of criteria can affect the selection and use of information sources – for example perceived accessibility can be as important as perceived quality.

In addition to these observations it is useful to consider factors that impact on effective information use:

4.2.1 Information use environment

Norms in the work situation as well as the type of work situation, and the nature of the work will influence people's access to information and the value they give to the information. Choo (1998) notes that people share assumptions about the nature of their work and the role of information in it. Their work setting influences their attitude to information as well as the availability of information and its value to them.

4.2.2 Information seeking behaviors

Information seeking involves both the recognition of information needs and the seeking of information to fulfil those needs. It should be noted that an awareness of needs may not lead to information seeking – a person may decide to suppress the problem instead. Information is sought to reduce uncertainty, to frame the situation, to define preferences and to provide information about viable alternatives, and information needs are defined in these terms. Information needs may be cognitive, or information seeking may be caused by emotional needs.

Ellis (quoted in Choo 1998) refers to eight generic categories of information seeking behavior:

- Starting – identifying sources that could be starting points for a search
- Chaining – going backwards and forwards to identify new leads
- Browsing – semi directed search in areas of potential interest
- Differentiating – categorizing sources according to nature and quality of information
- Monitoring – keeping abreast by regularly consulting various sources
- Extracting – systematically working through sources to get useful information
- Checking – for errors
- Ending – returning to sources while writing up papers

4.2.3 Information use behaviors

Whether and how information is used depends on how its value is perceived. This is primarily its relevance, and this is judged subjectively and is also dependent on the situation. It is multi dimensional, and therefore information use behaviors are complex. Generally information is used for enlightenment, to solve problems, to confirm facts, to motivate or for personal and political reasons (develop relationships), and to enhance a person's status or reputation.

4.3 The Knowing Cycle

It is clear from the above that accessing and using information is a complex activity with many factors influencing our behavior. However in a knowing organization the processes of sense making, knowledge creation and decision making allow the organization to operate at an optimum level. In the next section each of these processes of sense making, knowledge creation and decision making will be explored in more depth.

4.3.1 Sense making

Sense making creates shared meaning and understandings about the changes in the environment, because there are large amounts of information and multiple interpretations of their meaning, Sense making can be either action driven or belief driven. Action driven processes are those which create meaning to justify actions (committing) or to explain actions taken (manipulating). Belief driven processes are those which create meaning by connecting the similar (expecting) or the contradictory (arguing).

The first step in sense making is identifying a need for information. Then the environment is scanned for useful information. Certain information is perceived as relevant and useful and is then selected. It is then interpreted to make sense of the changes in the environment. Decisions are made and then acted on.

The main “information problem” in sense making is to reduce ambiguity and develop a shared meaning so that action can take place. Shared meaning refers to the shared meanings and understandings based on which concerted action can be taken. Consensus is built by tapping into shared cognitive structures and engaging in communication behaviors that can build enough consensus to agree on action, but have also enough ambiguity to allow people to feel that they can retain their own, different, meanings.

4.3.2 Knowledge creation

Knowledge creation is initiated when there is an acknowledgement that there is a gap in existing knowledge and it can be seen in two ways. Firstly it is seen as the creation of new knowledge to build new products. This means the sharing of both tacit, cultural and explicit knowledge which is then used to build new models and create new products. This is important in corporate organizations. But what about organizations like Parliament, where most innovation is done at the level of Departments, and Parliament plays more of a monitoring role? In these cases Knowledge creation is similar to what Choo calls shared meaning – the sharing of tacit and explicit knowledge in order to create common meaning of new information amongst groups in order to facilitate decision making. This understanding of shared meaning is different to that referred to by Choo in sense making – it is not a shared understanding of the environment but rather a renegotiated, new, shared meaning of concepts and principles relating to the issues being discussed. Nonaka (2003) refers to this as “trying to see the entire picture of reality by interacting with those who see the reality from another angle, that is, sharing their contexts”.

Both of these understandings have common threads, in terms both of the activities involved and the tools used. Firstly they both involve the sharing of both tacit⁶ and explicit⁷ knowledge and

⁶ Tacit knowledge refers to knowledge which is implicit and hard to verbalize, as it is action based. It has two dimensions – technical (know-how) and cognitive (beliefs, ideals, values which are ingrained in individuals).

thus the creation of new knowledge. This is what Nonaka (1998) calls knowledge conversion. It is the conversion of tacit into explicit knowledge and visa versa. There are four modes of knowledge conversion:

- Socialization – sharing of tacit knowledge between individuals
- Externalization – translation of tacit knowledge into an explicit form
- Combination – the conversion of explicit knowledge into more complex explicit knowledge
- Internalization – the conversion of explicit knowledge into tacit knowledge.

Secondly there is knowledge linking. This is where organizations form learning alliances with other organizations in order to transfer knowledge that is embedded in the “relationships, work cultures and operating styles of partner organizations. If Parliamentary Committees were to form learning alliances with NGOs this would be an example of a learning alliance.

Finally there is knowledge building – identifying and nurturing activities that facilitate the building of knowledge and strengthen the organization.

4.3.3 Decision making

Decision making is based on an analysis of relevant information and aims to identify an action to be taken on the basis of the analysis. It is structured by rules that specify methods, roles and norms – this is in order to lighten the information processing required. For example we develop preferred programmes or organizational routines that allow us to deal with recurring situations.

In decision making information is needed to reduce uncertainty by framing the problem, to define preferences and rules, and finally to consider viable alternatives and their projected outcomes. Information seeking for decision making is a function of individual preferences, institutional values and the features of the specific situation. There seems to be a hierarchy of information sources and the information search stops when a good enough solution is found or enough evidence is found to support a specific solution. Information for decision making is used

⁷ Explicit knowledge is formalized – it is rules based or object based and can be easily shared.

in order to maximise or maintain order, which can lead to favoring of specific outcomes and therefore ignoring information which is not going to result in those outcomes.

In theory we are all rational beings and therefore capable of making rational decisions. However the truth is that we are all restricted in our ability to be rational by our limited mental skills, limited access to relevant information and the values we attach to the information. This is what is known as “bounded rationality”. Because of this we tend to simplify the information we receive, and we are driven by the motive to “satisfice” rather than find the optimum solution which would require spending time finding and sifting through more information.

There are three features of satisficing as a theory of information search:

- 1./ Search is turned on and off when performance falls below or above the desired level
- 2./ Targets are considered sequentially
- 3./ As there are minimum standards there will be a search for more information if any of the alternatives present do not meet the standard. This is unlike a situation where the best of a poor set of alternatives will be selected.

Thus when we “satisfice” we can limit and control our information search, making it more manageable. In addition to controlling our search by finding an acceptable solution rather than the optimum one, we also try to make sense of the large amounts of often conflicting information available and to simplify the decision making process by using cognitive simplifications. Below is a short list of possible techniques:

1. Availability – using recent and vivid instances to support or reject possibilities, even though they may not be the norm
2. representativeness – judging the options according to simplified stereotypes
3. Anchoring and adjustment – to estimate the value of an object they will start with the figure initially presented (anchor) and adjust it

Once the information is found it is analyzed and decisions made. Information is used differently depending on the type of decision making. There are four broad models of decision making:

1. Rational model – in this model problem solving is goal directed and problem driven. Problem solving is guided by routines, procedures and rules, and the aim is uncertainty avoidance.
2. Political model - here the result of decision making is not based on rational choice but political. This is the case when players have different amounts of power and influence, as well as conflicting interests.
3. Process model – here there are multiple options and alternative solutions, and the process is goal directed.
4. Anarchy model – goals are ambiguous and processes to reach them are unclear.

Each of these models varies on two continuums:

- Goal ambiguity
- Technical uncertainty

For example in the political model technical uncertainty is low as everyone is clear about the outcomes but goal ambiguity is high.

Each of the models also varies in terms of the breadth or intensity of information seeking, and the directedness of information use. In the anarchy model both information seeking and use is uncontrolled. At the opposite end of the spectrum is the process model where both information seeking and use is highly directed.

In most situations a combination of decision making styles is used, depending on the environment in which the decision is being made and the type of decision being made. This will influence both the search for information as well as the way it is used in the decision making process.

4.6 *Conclusion*

The activities of seeking out information and using it are complex activities which are influenced by many environmental factors. There is no ideal way to access and use information, as it is all

dependent on a complex set of factors, including who is seeking the information, the problem at hand and the environment in which the information is being sought. Nevertheless it is possible to outline some best practices of information management, if one considers the particular context in which the information is being managed. In the next chapter we will review current use of information in Parliament, with specific reference to the Parliamentary Committees. Chapter Six will evaluate the current use of information in Parliament in terms of the theories outlined in this chapter.

Chapter Five

Information use in Parliament – some insight into everyday practices

5.1 Introduction

“only well informed citizens can maximize the opportunities which this presents for individuals and organizations to contribute to the democratic process. Only well informed Members of the Scottish Parliament can contribute fully to the governance of Scotland.” (Scottish Parliaments information strategy, Jane Seaton 2002)

“Democracy assumes that people have access to facts and opinions from a wide range of sources. Democratic decision making, be it at a local or national level, depends on equality of access to information.”. (Kargbo 1999:1)

It is clear from the above two quotes that access to information and the efficient use of it are critical to the ability of Parliament and MPs to do their work effectively. Thus access to a wide range of information strengthens democracy, and increases the efficacy of Parliamentary Committees. However it is generally acknowledged that the legislature is usually the poor relative of the executive – with fewer resources available to it, both in terms of financial resources and expertise. Government departments usually have large numbers of experts in their employ, whereas the Parliamentary Committees are disadvantaged in terms of human, and financial resources. In addition, as noted by Garga (2000), the executive has a quasi monopoly where the production of documents is concerned. Thus it is important that Parliamentary Committees find alternative sources of information if they are to ensure that they are not simply rubber stamping policy and legislation developed by the government departments

In this chapter we will look at what information services are provided for Parliamentarians by Parliament, what information they use and find most useful, and the challenges facing effective

information provision to Parliamentarians, both as individuals, and more specifically for their work at committee level.

5.2 *Parliamentary Information Services*

The Library of Parliament was established in 1884 and is housed in the Parliamentary precinct. The research unit, by comparison, is a relatively new development, established in 1997, and housed outside of Parliament. Prior to the establishment of the research unit Parliament outsourced its research services to an Institute based at the University of Stellenbosch. In recent years Parliament acknowledged that both the Research Unit and the Library provided complementary services and would work best if integrated. This led to the establishment of the Information Services Section (ISS).

Both the library and the research services play an important role in the provision of information to Parliamentarians. Thus, although they are very different functions, they operate as one unit, providing a one stop shop for parliamentarians. The Information Services Section has a section manager and two assistants – Information Manager: Library and Information manager: Research, and oversee 22 Librarians, 12 Researchers and 22 support staff. The information processing component consists of clusters of subject areas, to facilitate operational management.

The ISS aims to provide a non partisan approach to research, and a broad base of information encompassing all views/options for members to consider. It sees its role as providing a reliable alternative source of information to the Executive which enhances Parliamentarians' ability to make informed decisions. The ISS also sees its role as including the facilitation of a wider network of information sources.

The ISS has a clear vision which reflects the experiences of other countries and there is a clear understanding of the needs of Parliamentarians with regard to information and the challenges facing Parliamentarians in this regard. It appears however that they are not widely used. Janneke Mostert, in her research on the information seeking behavior of Parliamentarians (2004), found that the Parliamentary library, as well as other libraries, were not a preferred source of

information for MPs. Mostert found that the print media was the most popular source of information, especially newspapers.

5.3 *Information use by Parliamentarians – survey*

Mostert (2004) surveyed all National Parliamentarians, with the aim of understanding their information seeking behavior. Despite a rather low return rate the responses she received elicited some interesting information:

- Despite SA having historically a poor educational structure for the vast majority of South Africans, most of the respondents had high levels of education
- Most MPs felt that they needed information all year around, with only a few (25%) saying they only needed information while Parliament was in session.
- In terms of what they need information for 88% used information for the purpose of supporting them in debates, and 82% said they used information to broaden their own knowledge of topical issues.
- 53% of respondents said that they sought information on a daily basis, while 36% said they searched for information on a weekly basis, and 10% only on a monthly basis. Only one respondent said that s/he rarely sought information.
- The print media was the most popular source, particularly newspapers. Electronic media sources were also seen as important. Traditional sources such as libraries were not highly regarded and of the formal sources of information (government departments, NGOs, libraries, archives etc) NGOs were the most popular source of information.
- Oral sources of information were not highly regarded.

It is clear from Mostert's research that, although MPs seem to see information as an important tool in their work, they may not be making optimum use of the resources available to them.

5.4 *Challenges to information use*

Considering the wealth of information available to Parliamentarians and the limited time and resources they have available to them to search this enormous selection, it can be assumed that there are many gaps in information access and use by Parliamentarians – not least that they seem

not to use the Parliamentary information service to the extent to which they could. In this section we look at some of the main problems facing Parliamentarians in accessing information.

5.4.1 Dominance of the Executive as a source of information

A number of writers have noted the importance of independent sources of information. For example Serema (1999:1) states that “given that legislatures have to question the activities of governments, there is a need for an independent information reservoir; the idea being, that if the legislature depends on government sources for information, this information may be biased towards the ends of government, and as such may not always be objective”. An additional problem is that the information available to MPs from the Departments is often limited and can be either too general and therefore not useful or too complicated and difficult to unpack.

This problem of information bias may be one reason why, as Floistad (2001) notes, it is usually the opposition parties that are strongly in favor of an independent information and library service. In Norway the party which usually was the ruling party was skeptical about a research service for the Norwegian Parliament. For the traditional opposition however the idea of an independent source of information was much more acceptable, particularly when the idea was related to instances where government had provided information that was unreliable. In other words there was a sense from the opposition that they could not always rely on the government’s supply of information, despite an obligation on the part of the Minister to inform.

As a consequence of the information services being promoted by oppositions, they tend to also be more frequent users of the service. In Norway this translated into a difference of almost 1 to 10 in the number of queries from the party in government vis a vis the opposition (it would be interesting to survey whether this is true in SA as well).

5.4.2 Limited access to reliable information

Unlike in the UK, where library services are extensively used and seen to be both fast and impartial sources of information, it is clear from Mostert’s research that in SA the Library is not extensively used. What sources do they use? Mostert found that a large number of MPs used the electronic media for information. In Ghana by contrast, although MPs are aware of the value of

electronic media, few were able to access the information themselves. Serema (1999) found that in South Africa MPs attach a lot of importance to press and media articles and also use journals and reports. In contrast in Ghana Alemna and Skouby (2000) found that newspapers, television and radio were given a relatively low ranking, as they were not seen as reliable.

Although the internet and popular media are important sources of information, they are certainly not always reliable or relevant to the topic at hand, and Parliamentarians can be misled. Although it is not necessary that Parliamentarians only consider “peer reviewed” information, it is important that the information they get from the popular media and internet is critically analysed and its relevance assessed.

5.4.3 Limited access to expert analysis of information

Crowley (2001) notes that Parliamentarians are faced with a number of challenges regarding information. Firstly there is a huge overload of information. But in addition there is often scarce information in areas where there has previously been no legislation – Genetic modification, for example, or human cloning. In an ideal world research staff are expected to help Parliamentarians find, evaluate and filter information by providing briefings, written responses or a research paper. In order to be able to do this effectively researchers need to have a good knowledge of their research area and key sources of information, a knowledge of the proceedings of parliament, an understanding of the role of members and their needs, the ability to explain complex issues and data clearly and simply, and the ability to work quickly and flexibly and handle conflicting demands on their time. (Serema 1999:6).

In the UK MPs have unrestricted access to individual researchers by email and phone. The same is not true in South Africa, and thus a particular problem for Parliamentarians is the large amount of information they must process, or alternatively the problem of trying to access the very little reliable information on some of the newer areas of concern. Kimbunga (1996) highlights the fact that rather than exhaustive information, it would be better to provide a selection of useful and essential information on the context of the request. This is the type of support that researchers should be providing, but in South Africa, with Parliaments resources stretched to its limits, Parliamentarians are left to do the best they can under the circumstances. This means that they

are often not properly equipped to engage in discussion around the policy and legislation that is put before them, and thus the decision making of the Committees is compromised.

Targeting CSOs in the sector could be one way of addressing this problem, as they would understand the issues enough to be able to identify what information is useful and what is not, and they would have a wealth of up to date data and information at their fingertips.

5.4.4 Problem of bias in information

In many Parliamentary systems, South Africa's included, an important role is played by lobby groups. According to Orton, Marcella and Baxter (2000:212) "Lobbying or interest articulation has become for significant and professional in recent decades. Lobbying may take a number of forms, including petitions, organized writing campaigns to MPs and direct contact between interest groups and MPs. Lobbying can be undertaken by commercial or non-commercial groups, by individuals or professional lobbying firms.". Although the information provided by lobby groups can be useful, it is often biased and lobby groups may not have the same objectives as government.

Parliamentarians have access to and seem to favour other biased sources of information as well. In their research on information seeking behavior of MPs Orton Marcella and Baxter (2000) noted that the most frequently used sources were unofficial, informal contacts followed by their own files. The internet was highly used. Informal contacts were seen to be the most important and reliable source of information. As one can imagine any or all of this information will frequently show bias, and complicating this is the personal views of MPs and their political parties. Barker and Rush (1970, quoted in Orton Marcella and Baxter) note that "politicians are advocates of public issues and use information of various kinds to support their opinions. This basic device of choosing information on an issue to suit an already firmly settled opinion appeared in our survey interviews in various forms". Marcella Caracy and Baxter (1999) note that this can be both a strength and a weakness. It allows MPs to organize large amounts of information that must be quickly collected and acted on. However it limits the range of information that a member will seek or consider in reaching a decision.

Despite the weaknesses of biased sources of information – lobby groups and information sources, they are a useful way of accessing information easily and quickly. If one acknowledges the possibility of bias, it is also a quick way of evaluating the information one receives from these sources.

5.4 Challenges for South Africa's Parliamentary Committees

The above problems of bias in information, lack of access to all relevant information, overloading with irrelevant information, limited help from experts and the dominance of the government departments as sources of information are all challenges that the South African Parliamentary committees must face. There are also administrative and political challenges that Committees must face. Calland (1999) suggests that factors affecting the efficacy of the Committees include the specialization of knowledge required by Committee members, constraints put on Committees as they do not have their own advisors or technical assistants, unlike the Committees in the United States which have between 50 and one hundred staff each. The SA Committees are always under-staffed, with usually only a Committee Clerk as full time assistant (Calland 1999 and Macozoma 1996).

The effectiveness of members of parliament is reduced by the number of Committees that they must sit on, the fact that Committees are not allocated enough time vis a vis the plenaries, and the fact that Parliamentary administration is not geared for Committees being the main activity of Parliament. This causes bottlenecks and “ many Committee chairs have had to resort to personal contacts in order to get the institutional support they need to carry out their work”. (Macozoma 1996:114). Macozoma also notes that there are problems associated with Parliamentary Committees' lack of access to a wide range of interest groups, saying that not all interest groups use the opportunities provided by the Committee system to influence policy and legislation and the new opportunities have not been widely marketed

However apart from these practical problems there are also political barriers to Committee effectiveness. Part of this relates to the Committee members being forced to tow the party lines, and show loyalty to the Minister as well as the Departments. Exacerbating this is the fact that many of the senior officials in the Department are colleagues of Parliamentarians. This does not

allow the MPs to be critical of the work of the Departments. Lala (2000) identifies the problem of the blurring of lines between Executive and Legislature as being important in terms of the ability of Committees to fulfill their oversight objectives. Her research indicates that the legislature is seen as junior to the Executive and these perceptions are entrenched by the huge salary differences. Her interviews with Members of Parliament and others involved in the Health Committee indicate that the Portfolio Committee does not always act independently and there seems to be no clear distinction between the Department and the Portfolio Committee. Similarly Macozoma (1996) notes

“the executive and the bureaucracy have not yet fully embraced the new paradigm of effective parliamentary supervision that incorporates significant public participation. This disjuncture between what parliament wants done and what the executive and the bureaucracy are willing to do has generated considerable tensions between certain portfolio Committees and the departments they are supposed to oversee.”

All this impacts on what information Committee members seek and how they use it.

5.5 Civil society as a reliable source of information

According to Calland (1999:41) South Africa's committee system is stronger than the Westminster system upon which it is based. However it falls short of the power of the Committee system in the United States. He suggests that each committee should have its own legal advisor, communications clerk, administrator and at least one researcher on the portfolio subject area. Much of this may not be possible in the short term, as Parliament has many resource constraints. However one way in which the Committees could be empowered is through better provision of information, and the effective management of relationships with expert sources such as NGOs.

There is a large amount of information available to support the work of Parliamentary Committees which could be accessed at little or no cost. This information would come from experts in the field – those organizations (both profit and not for profit) who hold large amounts of expert information and whose experience and opinions can assist the MPs in forming opinions

and making decisions. These organizations are often willing to give their information and opinions to the Committees as it is in their interests to have their voices heard.

Bhabha (1996:136) suggests that the Portfolio Committees do rely heavily on the “benevolence of certain NGOs and academics to assist in the consideration of legislation” He notes that as a consequence of there being no research or law advisors provided by the State. This is not always the case (see Lala 2000) but as the following case study shows there are certainly advantages to using civil society as a source of expertise.

Child Maintenance: How Parliamentary Committees could work

The Lund Committee on Child and Family Support which investigated the State Maintenance Grant made a number of recommendations. These were made without the input of civil society organizations as the Lund Commission felt it was a technical committee. The then Minister Ms Frazer Moleketi did not consult the Portfolio Committee on Welfare before submitting the proposals to Cabinet for approval. Civil society organizations were outraged and the Portfolio Committee was pressured to hold public hearings. According to Richard Calland (1999:39) the presentations by civil society were highly professional and provided excellent arguments and supporting evidence. The Portfolio Committee was swayed by the evidence, particularly that government figures were incorrect as they made incorrect assumptions about the phasing in of the new scheme. Calland notes that the intervention of civil society groups was critically and that “paradoxically the absence of proper resources for Parliamentary Committees created an opportunity for civil society to fill the vacuum with professional, persuasive submissions”.

5.6 *Conclusion: Civil society as a source of information*

In South Africa the Information Services Section is supposed to be the key information provider for MPs and has been structured in a way to provide the best services to MPs. However Mostert (2004) notes that the traditional information services such as libraries are not popular sources of information for South African MPs, and the Information Services Section is not well used. Instead MPs rely on newspapers and electronic sources of information. Although CSOs are

approached by Committee members for information, this is done on an ad hoc basis. There are no formal channels of communication between civil society and Parliamentary Committees, which means that the use of information from civil society is done in a piece meal way and is unlikely to make the best use of information from this sector.

Chapter Six

Evaluation of information use in Parliamentary Committees

6.1 Introduction

This chapter will build on the information of the previous chapters and evaluate the use of information by Parliamentary Committees, based on theories outlined in Chapter Four. After a brief summary of what Committees need information for, and where the information is available, a model of information use by Parliamentary Committees will be outlined. The current use of information will then be assessed in terms of the model. In Chapter Seven recommendations will be made in terms of how to build the capacity of Parliamentary Committees to use information, based on the evaluation done in this chapter.

6.2 What Parliamentary Committees need information for

Broadly, Martell (1994) lists the following uses of information by Parliamentarians:

1. participation in debates
2. asking questions
3. making speeches
4. answering correspondence
5. appearing in the media
6. communicating with the constituents
7. provincial visits
8. ensuring re-election

More specifically Parliamentary Committees in South Africa need information in order to perform three key tasks:

- Understand the environment in which the policy and legislation is being developed and in which the Departmental operational plan is being implemented, and whether the

Department is operating in line with broad government policy as well as within the strategic framework of the particular department

- Make decisions about whether the plans, policy and legislation that is put before them fills the needs of their constituencies
- They also need, if they are to rise to their true potential, to contribute to the debates around the Department's directions and choices, rather than simply responding to the Department's activities. In order to do this they need to create new insight into the problems facing their constituencies and ways in which the problems can be addressed.

This is in order to fulfill their obligations in terms of passing policy and legislation and overseeing the activities of the Departments

6.3 Where can committees get information from

A key source of information for Parliamentarians is the relevant government Department. The Departments have expertise and resources that make them a rich source of information. However it would be important for Parliamentarians to use other sources of information as the Departments have a particular agenda and may not always provide unbiased information. In addition, in terms of fulfilling its role of oversight, it would be important that the Committee consider information from a wide range of sources, and not restrict themselves to information from the Department.

To supplement the information from the Departments Parliamentary Committees also get information from their oversight visits to the provinces. During these visits they meet key stakeholders, such as companies and parastatals working in the sector, as well as communities and NGOs. Although they are not able to meet all stakeholders, and cannot visit each province every year, or cover all parts of the provinces, these visits are a key source of information. In addition they can access information from the Information Services Section which provides both a library and research service to Parliamentarians.

Another source of information is the popular media, both electronic and newspaper, journals etc. Information can also be obtained over the internet. As well as the above, a key source of information are informal contacts – political colleagues, business people and community contacts in the provinces and in the Departments.

6.4 *Model of information use*

Parliamentary Committees use information for sense making (for the oversight function they need to have an up to date awareness of the environment that the Departments work in) and for decision making (both in terms of whether the departments are fulfilling their function according to the government’s overall objectives and the Department’s specific strategic plan, and to decide on whether proposed policy and legislation will fulfill its objectives). As part of these activities, the Committees also are involved in creating new knowledge – not often in the sense of innovation, as this is primarily the role of the Departments, but in the sense of sharing insights and creating a common understanding of situations, or knowledge conversion, referred to by both Choo and Nonaka.

To adapt Choo’s model:

Process	Process	Activity
Sense making ↓	Information Interpretation ↓	Acquiring information ↓
Knowledge conversion ↓	Information Conversion ↓	Analyzing information ↓
Decision making ↓	Information Processing ↓	Decision making for ↓
Action	Action	Action

The tables below link up the Committee’s two key activities with each of these stages.

6.4.1 Oversight

Activities	Information available	Choo's stages	Possible Factors influencing effective use of information
1./ Ongoing interaction with Department	<ul style="list-style-type: none"> • Department • Contacts from oversight visits 	Sense making/ Info seeking	<ul style="list-style-type: none"> • Department bias • Department expertise and wealth of resources • Committee members limited time and expertise
2./ Oversight visits	<ul style="list-style-type: none"> • CSOs • Community Groups • Local and provincial government • National Govt departments 	Sense making/ info seeking	<ul style="list-style-type: none"> • Time restrictions on how extensive the visits are and who they meet • Lack of contact with Provincial and local government structures.
3./ Briefing from relevant parties	<ul style="list-style-type: none"> • CSOs • parastatals • Government departments 	Sense making/ info seeking	<ul style="list-style-type: none"> • Bias of those making submissions • Limited number of submissions • Time constraints
4./ Discussion at Party study groups	<ul style="list-style-type: none"> • Party policy 	Sense making/ Knowledge creation/ Knowledge conversion	<ul style="list-style-type: none"> • Party line
5./ Committee discussion	<ul style="list-style-type: none"> • Committee members existing knowledge • Newspapers and other popular media • Internet 	Knowledge creation/ Knowledge conversion	<ul style="list-style-type: none"> • Individual ambitions • Party line • Limited access to information
6./ Recommendations to Parliament or Department		Decision making/ Action	

The purpose of oversight is for the Committees to monitor and evaluate the work of the Departments that fall under their portfolio and bring any concerns to the attention of either the Department and/or Parliament and Cabinet. The evaluation of the Department performance is done on the basis of whether it has fulfilled its obligations in terms of the government's overall strategy, and the Department's specific strategic plan for the year. The evaluation is done by looking at the Department budget, receiving submission from the Department in terms of its strategic plan, and information the committee receives on its oversight visits. The Committees' decision regarding the Department is also informed by their previous experiences with the Department and by information they glean from other sources. As this is an ongoing activity for Committees they tend to allocate a certain number of meetings to discussing specific issues that

they have noted from their oversight visits, or their constituency activities, or that have been raised previously and they feel need to be revisited. There are also issues which the committee has noted in the strategic plan of the Department which they feel they need more discussion on.

The Committees are constrained in this activity by a number of factors. Firstly they are constrained in terms of the time they can spend on sense making, as well as the information that is available to them. This limited access to information is a key constraint, and is caused in part by the members own lack of research skills, combined with the fact that they do not have their own researchers. So they are limited in terms of time, and ability to sift through the information. An additional problem is that, other than the Department, there are few easily available sources of information. This means that there is an over-reliance on the information from the Department, and it takes experience before members are able to be critical of Department information, and identify the gaps and/or bias in it. A good example is the fact that the Committee relies on the Department for assistance in organizing the provincial visits! This means that the Department can guide them to projects or programmes which are successful and hide ones that are not, thus giving Committee members a false sense of their success.

They are constrained in Knowledge conversion by the fact that each party has its own beliefs and it needs to maintain these beliefs in order to keep its popular support. It is therefore sometimes difficult to build a consensus around what the departments should be doing.

They are most importantly constrained by the fact that, in decision making, they rarely have all the facts they need, or all the time and skills they ideally need to analyze them. This results in what is called “bounded rationality”. Committee members are bound by their own analysis skills and ability to understand the issues. They are constrained by their political beliefs and those of their parties.

6.4.2 Policy and legislation

Activities	Information available	Choo’s stages	Factors influencing effective use of information
1./ Presentation from Department	<ul style="list-style-type: none"> • Department 	Sense making/ Info seeking	<ul style="list-style-type: none"> • Department bias

			<ul style="list-style-type: none"> • Department expertise and wealth of resources
2./ Hearings	<ul style="list-style-type: none"> • CSOs • Community Groups • Local and provincial government • National Department 	Sense making/ info seeking	<ul style="list-style-type: none"> • Time restrictions on how extensive the visits are and who they meet • Lack of contact with Provincial and local government structures.
3./ Discussion at party caucuses	<ul style="list-style-type: none"> • Party policy 	Sense making/ knowledge conversion	<ul style="list-style-type: none"> • Bias of those making submissions • Limited number of submissions
4./ Committee discussion	<ul style="list-style-type: none"> • Committee members existing knowledge • Newspapers and other popular media • Internet 	Knowledge creation/ conversion	<ul style="list-style-type: none"> • Individual ambitions • Party line • Limited access to information
5./ Recommendations to Parliament		Decision making/ Action	

In terms of analyzing and making recommendations regarding policy and legislation, Committees are constrained in much the same way as for their oversight role, as although they have current information from communities they visited during their study tours, and their visits to their constituencies, they are also limited by time and resources. Thus the public hearings are an important source of information for them, as the communities and NGOs that make submissions hold critical information that is not always available elsewhere, and most certainly not available in the academic journals and newspapers that the Committees have access to. However they are once again constrained in sense making by not having time to consider all the relevant information, and they are particularly constrained in terms of knowledge creation, as the process is public and so their image can be greatly affected if it appears that they have compromised their principles.

The importance of the Committee's role with regard to the passing of policy and legislation for democracy cannot be underestimated. This is the only place where the government is obliged to consider inputs from civil society organizations – thus the constitutional obligation of the government to be participative is fulfilled. Committees rely on the government departments to provide them with the information they need to make decisions – the government departments

have the expertise to draft legislation which is correct in terms of the law and the constitution. They also have the expertise to develop legislation which addresses the issues on the ground. However the departments are constrained in that they do not always have current information “from the ground” and although they themselves often hold hearings in order to hear from interested parties, they often do not have the time or resources to do this effectively. The ability of Committees to consider information from alternative sources is therefore critical.

6.5 *Conclusion*

The work of Parliamentary Committees is complex and diverse and in order to fulfil their obligations they need to acquire and process information on a diverse number of subjects from a diverse number of sources and in a diverse number of formats – oral submissions, written submissions, electronic information. This information will also be of varying complexity, from anecdotal reports of personal experiences to scientific evidence from peer reviewed journals. From all this they must decide what is relevant and how to interpret it and based on this make decisions which will have an impact on the lives of many people.

As we know Committees do acquire information from a range of sources – from government Departments to the internet and newspapers and individual contacts, as well as, on occasion, the Information Services Section. However as can be seen from the analysis there are a number of constraints on them, from their own lack of time and expertise, to difficulties in acquiring information from sources other than the government departments which are seen to be easy and reliable sources. The next chapter will consider the ways in which these challenges can be addressed.

Chapter Seven

Strengthening access to Information

7.1 Introduction

An analysis of the use of information by Parliamentary Committees shows a number of areas of concern, and it is certainly true that access to and use of information could be improved. This chapter will propose a strategy which will address some of the problem areas, and will allow Parliamentary Committees improved access to information which will have far reaching impact on their ability to perform the task of oversight and their ability to evaluate new policy and legislation that comes before their committees.

7.2 Failures of the current information use

The current use of information by Parliamentarians fails in three key areas:

1./ Parliamentarians not using the Information Services Sections of Parliament – the fact that the Committee members do not use the current library and research services results in the overuse of popular media and information that is not always peer reviewed – on the internet.

2./ Over reliance on information from the government departments – the fact that Parliamentarians do not use the resources available to them from the library also means that they rely on information from the government departments. This means that they do not always have a broad range of information from a wide range of independent sources, which is critical to their ability to oversee the activities of the Departments.

3./ Lack of access to sources from outside Parliament – it is clear that civil society organizations have a lot of knowledge and skills that relates to sustainable development. As Parliamentarians have limited time and resources to maintain contact with community groups, and as civil society organizations do not have the resources to maintain contact with Parliament (as they do not have the money to travel, knowledge of the formal processes or skills to lobby), they do not have consistent input from civil society organizations. This lack of resources for Parliament to reach out to civil society and for civil society to approach parliament means that large amounts of useful and relevant information and knowledge are not being shared and used in a productive way.

7.3 *Strengthening information access and use*

In terms of government decision making Marcella, Carcary and Baxter (1999) refer to Parsons's division of information into four quadrants

<p><i>Internal/Formal</i></p> <ul style="list-style-type: none"> ○ Dept research, think tank reports and reports from internal experts 	<p><i>External/Formal</i></p> <ul style="list-style-type: none"> ○ Commissions of enquiry, judicial reviews, reports from the legislature, commission research, formal consultations
<p><i>Internal/Informal</i></p> <ul style="list-style-type: none"> ○ Informal discussions between decision makers, rumors, folklore, informal use of advisors 	<p><i>External/Informal</i></p> <ul style="list-style-type: none"> ○ Discussions, consultations, reports, informal advice

Although South African Parliamentarians use informal sources as much as formal, they tend to use internal information rather than external information. They also rely primarily on reports from the Legislature as external formal reports and not on consultations, commissioned research or commissions of enquiry.

Orton Marcella and Baxter (2000) did an in-depth analysis of the information searching behaviors of two British MPs. Amongst their findings were that one of the MPs facilitated information flow for a parliamentary group. It was also found that MPs maintained links with lobbying groups they note that "Lobby groups can often provide unique and valuable information, but are likely to be subjective and partisan sources". Thus NGOs and other civil society groups can provide information to balance the information from government departments, although the information must obviously be understood as partisan.

Finsten (2002:3) notes that Committees can be assisted in a number of ways:

- Ad hoc assistance
- Secondments of expert advisors

- Ongoing assistance
- Outside contractors

In all of these options civil society organizations can play an important role, with the Information and Research facility of Parliament playing a facilitating role.

7.4 *Knowledge links to improve information use*

“Managers are playing with fire when their company does not own and control its crucial resources, core capabilities and key technologies. But what about the knowledge, resources and skills that play a supporting role?” (Badaracco 1991:113)

Knowledge links refer to alliances with other organizations which can give a company access to skills and capabilities which enhance their work. These alliances can be strategic or tactical. Tactical links help to build skills in a particular area. Strategic links are aimed at supporting an organization’s long term objectives. By linking with civil society organizations Parliamentary Committees would be fulfilling primarily tactical objectives, but these links could be seen to be strategic in the long term.

According to Badaracco (1991) knowledge links have a number of characteristics:

- 1./ The central objective is learning and creating knowledge
- 2./ The process involves working closely together
- 3./ Links can be made with a wide range of partners
- 4./ They have strategic potential

Building on the notion of knowledge links the next section will consider a strategy for more effective use of information.

7.5 *Developing a strategy – role of the Information Services Section*

Despite the information and research services restructuring and developing a strategy for effectively servicing the needs of Parliamentarians, the research and information services are not

sufficiently used by Parliament. This has resulted in over-use of information from popular sources, and over-reliance on information provided by government departments. As a result one can question the validity of decisions made on the basis of limited and biased information.

It is important that any strategy tries to address the problem of the ISS not being sufficiently used. A way to do this is for the ISS to provide information that is **not available anywhere else**, in an **accessible way**, which will clearly **add value** to the work of Parliamentarians who use it. This means that it must be able to address their needs to support the policies of their party (and therefore increase their support within the political party, thus ensuring re-election when the new lists are drawn up) and ensure popular support so that their party increases its proportion of the vote in the new elections.

7.5.1 Information that is not available anywhere else

Although many CSOs have websites a lot of their information and knowledge is not available there. Many organizations produce research papers or conference papers which are not widely available. As well as this expertise around specific issues may not even be published – indeed it may not even have been made explicit. CSOs are thus a huge source of untapped information and expertise.

7.5.2 Information that is accessible

It is critical that any strategy must take account of a number of barriers to Parliamentarians effective use of information, most notably:

- Pressure of time
- Their seeming preference for internet access rather than using the library directly
- The need for the information to speak to specific issues, rather than them having to wade through huge numbers of articles and books to find information relevant to their issues
- A need for information ranging from complex to simple, depending on the Parliamentarians need (to solve a complex problem or refer to in a speech) and expertise (a member who is new to a committee or one who has been a member of the committee for some years).

7.5.3 Add value

Parliamentarians need information, as has been noted elsewhere, for a variety of purposes – to make a speech, give input in a debate or to solve a problem raised by a constituent, and so on. They therefore need information which will enrich their ability to fulfil all these obligations, allowing them to add value to their service to the party as well as their constituents, and the country as a whole.

For the ISS to be able to provide such information it needs to develop relationships with the CSO sector where it can access information that is not necessarily published. This information would need to be electronic but this may not be a barrier. For the CSO sector to be able to provide not only papers that are available but to also respond to specific areas of interest, they need to know on an ongoing basis what the committees are discussing and what their areas of interest are. This means that any strategy must be a two-way communication between Parliamentarians and participating CSOs. This needs to be facilitated by the ISS – so that it can increase its own profile, as well as manage the information. The only way that this can be done feasibly is electronically.

7.6 Strategy for improving access to a broad range of information sources

The problems outlined thus far in this paper are not common to South Africa. Across the world attempts have been made to ensure better communication between political players and citizens. The following box illustrates one such strategy.

Lessons from abroad – adapting the Citizens Consensus Conference

The Citizens Consensus Conference is a methodology of technological assessment, in which dialogue among citizens, experts and politicians is developed. A citizen panel, after being informed, debates and drafts a document used as input in political decision making. This is a method of citizen participation which was originally implemented in Denmark by the Danish Board of Technology, and has been used in more than twenty countries.

The general aims of the CCC are as follows:

1./ promoting citizen involvement

2./ democratizing knowledge

3./ introduce citizen opinion into the law making process

4./ Making citizen, scientific community and political dialogue possible.

The development of the Citizens Consensus Conference begins with a call for participation in the discussion of a specific debate which is socially relevant (and thus it is important that there is citizen debate of the issue). It is important that the topic is precise and require the contribution of experts. Citizens who apply are selected, and a facilitator appointed. Then a series of meetings are organized, each lasting two or three days. At these meeting the citizens discuss the issue at hand and present a final report which is handed to the Members of Parliament.

At such a process which took place in Chile (Pino Yanez: 2004) two of the key strengths were found to be:

1./ The creation of Knowledge Networks

2./ The development of a feedback process where experts in the field and Parliamentarians shared information and Knowledge.

The example in the above table shows that it is certainly possible to have meaningful interaction between Parliamentarians and citizens, which can lead to long term partnerships. Clearly in a country such as South Africa it may not be possible to spend the time and money required in the above example, but it does give some ideas for developing collaborative projects which allow citizens (or in this case civil society organizations) to engage with the legislative process and at the same time allow Parliamentarians to capture and use the knowledge of experts in their deliberations around specific pieces of legislation.

The following strategy addresses all of the issues noted under point 5 above. It will raise the profile of the ISS and allow it to provide value added information, and allow Parliamentarians access to information which cannot be found elsewhere and will counter the information available from the government departments.

The strategy would involve the ISS developing a web site where all its own resources are available electronically. From that web site there should be a web portal which takes people to an interactive, easy to use site where Parliamentarians and NGO professionals can share information. The website would:

- be divided into sectors, according to departments. These need to be cross referenced as there would be common areas of concern. For example issues around water would be of interest to the environment and tourism committee, as well as water and forestry.
- Within each area reports on the proceedings of Committee meetings should be available electronically so that the CSOs can follow the issues of concern. These reports can be found at the Parliamentary Monitoring Group website, and the Library can make arrangements to have links made.
- A knowledge audit of participating CSOs should be done so that the key areas of expertise of CSO professionals can be listed with contact details so that Parliamentarians can contact them directly
- All electronic reports from participating CSOs should be available on the website
- CSOs need to be able to respond to the proceedings of the Committee meetings (so that for example they can challenge reports from the Department on implementation if their own experiences differ) and this feedback needs to be available to Parliamentarians in an easy to read way.
- A discussion forum where Parliamentarians and CSO professionals can raise important issues for discussion

The role of the ISS in this cannot be underestimated. Although it is expected that there will be a fair amount of self policing within the CSO sector (it is not to their advantage to inundate the MPs with useless information, or to be rude) the ISS will have to manage and monitor this web portal, and assist Parliamentarians who may not be able to use the web portal without assistance.

7.7 *Conclusion*

The development of a website where CSOs and Parliamentarians can discuss common issues goes some way to improving the access of Parliamentarians to a broader range of information.

Clearly some problems will remain, the largest of which is that there are many CSOs who do not have easy access to the internet, or the skills to effectively use it. However it will provide MPs with access to those CSOs who do have access to the internet but not the resources to visit Cape Town. More importantly it will allow ongoing relationship building rather than a reliance on sporadic provincial visits or the MPs constituency visits. It will also allow for more informal contact, than is allowed during public hearings.

Chapter Eight

Conclusion

8.1 *Introduction*

This paper has attempted to show the flaws in the current management of information for Parliamentary Portfolio Committees, and indicate ways in which these flaws can be addressed.

At the beginning of the paper the following questions were asked:

- Given the oversight role that the Legislature plays in the South African democracy, what are the key sources of information they should use to effectively evaluate the development and implementation of policy and legislation.
- What currently are the information seeking behavior patterns of members of the National Legislature
- Are there any flaws in the information seeking behaviors of parliamentarians vis a vis question 1.
- Are there ways in which easier access to information from civil society would enrich the information currently being used by Parliamentarians and/or address the flaws identified in question 3.
- What key elements would a strategy for information sharing between Parliament and CSOs need to have in order to improve their use of information.

8.2 *Key findings*

Chapter two described the key activities of the Parliamentary Portfolio Committees, and the types of information that are required for the Committees to operate effectively. The literature reviewed in Chapter Five outlined Parliamentarians current use of information, and clearly indicated that although the Parliamentary Committees' work is clearly defined, they do not always have the resources to access the broad range of information required for them to fulfill

their mandate. Thus it is clear that given this, the Parliamentary Committees are not properly equipped (in terms of information) to fulfill their oversight obligations effectively.

The key activities involved in the searching for and use of information were outlined in Chapter four, and on the basis of these Chapter Five identified the flaws in the current management of information by Parliamentary Committees. These include:

- Overuse of information from Government Departments, making it difficult for Committees to have a balanced view of the Departments' achievements and failures, and not allowing Committees to effectively analyse and critique the Departments' annual strategic plans and budgets.
- Under use of current available services – the Information Services Section
- Over use of the popular media for information
- Under use of knowledge and skills of experts in the field
- Under use of information from communities and organizations working in those communities due to lack of resources and difficulty in accessing those communities.

It is clear from the above that easier access to civil society organizations working “on the ground” would greatly increase the Committees' access to a more diverse set of information and thus improve its ability to engage more effectively with government Departments. Chapter Seven outlined a strategy which would allow them to more easily access information from civil society organizations and therefore increase the access of Parliamentarians to a wider range of information, and improve their effectiveness, while at the same time allowing civil society organizations to engage more effectively with the legislative processes.

The strategy outlined in Chapter Seven does not purport to address all the problems outlined in this paper. However it would go some way towards decreasing the Committees' reliance on government departments for information, allowing them a more realistic understanding of the Departments' achievements and failures, as well as being able to suggest effective ways of addressing the problems facing the Departments in their work.

8.3 *Further research*

Research has shown that Parliamentarians do not use the Information Services Sections to their full capacity. Although one can surmise some of the possible reasons for this, more research needs to be done on why this is the case. This would allow for the strategy outlined in Chapter Seven to be developed in such a way as to both take into account the difficulties Parliamentarians have as well as improve the relevance of the PIRS.

In Chapter seven a number of problems were raised with Civil Society's capacity with regard to the internet and email, in terms of skills and access. It is important that these are addressed, so that Parliamentarians can have access to as wide a range of views as possible, rather than simply those of the larger NGOs which are likely to have better capacity. The Government has clearly seen ITC as a priority⁸ and it is important that this be continued.

8.4 *Way forward*

The strategy outlined in Chapter Seven could go some way towards assisting the Information Services Section in addressing the problems facing Parliamentarians in terms of information. It would be important for it to be presented to the ISS so that the suggestions made can be taken forward.

8.5 *Conclusion*

In South Africa's democracy Parliament plays a critical role in ensuring that communities and individuals are able to engage with the Legislative process. In order to do this they need to access information beyond that provided by the Departments. In trying to do this it is important that the barriers facing them in accessing information (time, lack of research resources) are taken into account. The Strategy outlined in this paper has attempted to take into account these barriers, and to provide a solution to a critical problem facing Parliament.

⁸ for example the multi purpose community centres that the Government Community and Information System was given the responsibility of rolling out in the late 1990s. Despite many problems the government seems to remain committed to ensuring that most South Africans have access to computer technology and the internet.

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