AFRICAN PARLIAMENTS

*Evidence systems for governance
and development*

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LIST OF ACRONYMS

3D	Three-dimensional
4IR	Fourth Industrial Revolution
ACRES	Centre for Rapid Evidence Synthesis
AFIDEP	African Institute for Development Policy
AFLI	Africa Leadership Institute
AfrEA	African Evaluation Association
ALP	African Legislature Project
APNODE	African Parliamentarians' Network on Development Evaluation
BDP	Botswana Democratic Party
BEPP	Bureau of Evaluation of Public Policies
BEPPAAG	Bureau of Evaluation of Public Policies and Government Action Analysis
BVR	Biometric Voter Registration
CDFs	Constituency Development Funds
CSC	Committee Score Card
CSIR	Council for Scientific and Industrial Research
CSOs	Civil Society Organisations
DAC	Development Assistance Committee
DPME	Department of Performance (later planning) Monitoring and Evaluation
DRS	Department of Research Services (DRS)
EALA	East African Legislative Assembly
ECOWAS	Economic Community of West African States
EIDM	Evidence-Informed Decision-Making
ETWG	Evaluation Technical Working Group
EVI	Electronic Voter Identification
FES	Friedrich Ebert Foundation
FRELIMO	Frente de Libertação de Moçambique
GDP	Gross Domestic Product
GEF	Government Evaluation Facility
GNPBO	Global Network of Parliament Budget Offices
GPFE	Global Parliamentarians' Forum on Evaluation
GTAC	Government Technical Assistance Centre
HEIs	Higher Education Institutions
HR	Human Resources
HSRC	Human Sciences Research Council
ICT	Information and Communication Technologies
IDS	Institute of Development Studies

IIAG	Ibrahim Index of African Governance
INASP	International Network for the Availability of Scientific Publications
IoT	Internet of Things
IPAB	Benin Parliamentary Institute
IPU	Inter-Parliamentary Union
KEWOPA	Kenya Women Parliamentary Association
KEWOSA	Kenya Women Senators Association
M&E	Monitoring and Evaluation
MDAs	Ministries, Departments and Agencies
MEJN	Malawi Economic Justice Network
MPs	Members of Parliament
MPL	Members of Provincial Legislatures
NCOP	National Council of Provinces
NEDLC	National Economic Development and Labour Council
NES	National Evaluation System
NGOs	Non-Governmental Organisations
NMETWG	National M&E Technical Working Group
NPM	New Public Management
OECD	Organisation for Economic Co-operation and Development
OPM	Office of the Prime Minister
PARMAN	Project for Support of the Strengthening and Modernization of the National Assembly
PBOs	Parliamentary Budget Offices
PC-EIDM	Parliamentary Caucus on Evidence-Informed Oversight and Decision-Making
PCOs	Parliamentary Constituency Offices
PFMA	Public Finance Management Act
POT	Parliamentary Oversight Tool
PPE	Personal Protective Equipment
PRS	Parliamentary Research Service
RSP	Revolutionary State Party
RTS	Results Transmission System
SADC-PF	Southern African Development Community Parliamentary Forum
SCOA	Standing Committee on Appropriations
SCOPA	Standing Committee on Public Accounts
SDGs	Sustainable Development Goals
SSA	Sub-Saharan Africa
Stats SA	Statistics South Africa
SWAPO	South West Africa People's Organisation

UNACEB	State Budget Control and Assessment Analysis Unit
UNDP	United Nations Development Program
UNEG	United Nations Evaluation Group
VOPES	Voluntary Organisations of Professional Evaluators
WBI	World Bank Institute
ZANU-PF	Zimbabwe African National Union-Patriotic Front
ZEPARU	Zimbabwe Economic Policy and Analysis Research Unit

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PARLIAMENTARY EVIDENCE USE IN REPRESENTATION

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Introduction

The core mandate of parliament, as the embodiment of the people, is to represent the people by articulating the views of citizens in decision-making processes, to make laws, undertake oversight of the executive and to hold the executive to account on behalf of the people. Representation, therefore, is a key principle in a parliamentary democracy, and a lever of governance (Bainomugisha & Mushemeza, 2006). For parliaments to perform these roles as representatives of the people effectively and satisfactorily, access to reliable, accurate and valid evidence is vital. In view of this, the legislature requires an array of different types of well-timed, relevant and accurate evidence such as the knowledge of citizens; experts; statistics; and research evidence (Newman, Fisher, & Shaxson, 2012) to meaningfully represent the citizenry and hold the executive to account. For instance, Members of Parliament (MPs) need to know what the issues in their constituencies are; committees need to understand the possible impacts of legislation they are working on; and staff need access to a wide range of evidence in order to advise MPs and committees.

In spite of the importance of evidence-informed policy in the legislature, much of the ‘evidence-informed policymaking’ literature until now has focused on the executive arm of government (Young, Gropp, Pintar, Waddell, Marshall, Thomas & Rajić, 2014). However, there is an emerging body of literature concentrating on parliaments which adds to the understanding of evidence use in parliaments (Broadbent, 2012; Zantsi, 2020). In exploring evidence use in legislatures, it is essential to recognise that parliaments have a constitutional obligation to represent the interests of the citizens. This understanding justifies the move towards a broader understanding and acceptance of the importance of ‘evidence’ and ‘evidence use’ within the legislative sector. The importance of evidence in improving the quality of legislation, oversight and representation cannot be overemphasised. Information and evidence have been referred to as “the lifeblood of parliaments that sustain democracy across the world” (Cunningham, 2009 cited in INASP, 2017, p. 17).

The call for improved evidence use in policymaking is premised on the grounds that, in order to obtain desired policy outcome of the transformation of lives of citizens, MPs and legislatures have to use primary evidence when developing, assessing, passing legislation and holding governments responsible. However, in many emerging democracies, particularly in Africa, the executive dominates the policymaking landscape, and this is a key factor which influences and

shapes evidence use within parliaments. Additionally, the challenge facing parliaments in Africa in performing their representational roles is the effective use of evidence in performing their constitutional mandates to achieve the desired policy outcome. Some of these challenges include weak organisational and human resource capacity for the production and organisation of evidence, varying levels of leadership commitment to the use of evidence in legislation, limited information technology and library services available to MPs, limited links with the national research sector, and the fast-paced political nature of the legislature and the associated challenges this poses for providing robust evidence in very short timeframes (Agora-parl.org).

This chapter unpacks the concept of representation and looks at the historical roots of some of the challenges African MPs face in executing the representation function, as well as how African governments are using evidence to shift the dynamics that have historically limited the avenues for MPs to play genuinely representative roles in the governance process. Finally, the chapter looks at characteristics of evidence use in processes of representation. It concludes with both promising aspects as well as reasons for caution about the ways in which the representation function may evolve.

Typologies of parliaments and representation

In many emerging democracies, particularly in Africa, the executive dominates the policymaking landscape, and this is a key factor influencing and shaping evidence use within parliaments. The strength of parliament can be related to its capacity to gather and use information and evidence. Parliaments' typologies shape the emerging trends in evidence use by MPs in many African parliaments resulting in 'patchy' evidence use (UNDP Global Parliamentary Report, 2012: p. 7) their role remains the same: to represent the people and ensure that public policy is informed by the citizens on whose lives they impact. Effective parliaments shape policies and laws which respond to the needs of citizens, and support sustainable and equitable development. For parliaments to be truly representative, elections must be free and fair. Citizens must have access to information about parliamentary proceedings, legislation, and policy, and be able to engage in continual dialogue with parliamentarians. The United Nations Development Programme.

The framework of Nelson Polsby (Greenstein & Polsby, 1975 cited in Miko & Robinson, 1994) outlines a typology of parliaments as described by Rabie and Ajam in Chapter 2 (Figure 2.11) which links legislatures' evidence requirements to the type of parliament moving from rubber-stamp to transformative parliaments. They argue that the preferred levels of parliamentary functioning have a significant bearing on evidence use in parliaments. This macro factor consequently impacts on the performance of parliaments in terms of their representation roles, for example, rubber-stamp parliaments are less likely to have an enabling environment to nurture citizen representation in the work of parliaments. Parliamentary structures in rubber-stamp parliaments tend to reflect a 'closed space' by nature of their physical structure which is marked by citizens being restricted from accessing parliaments and therefore creating a visible distance between MPs and citizens. On the other hand, transformative parliaments typically have enabling structures in the form of more open parliaments that encourage citizen representation and interactions between MPs and citizens.

WEAK EVIDENCE STRONG			
The rubber stamp legislature	The emerging legislature	The informed legislature	The transformative legislature
<ul style="list-style-type: none"> has very little need for information other than the time and place to vote. essentially meet to endorse the ruling party programme of work. independent research and analysis have very little value to MPs and committees. 	<ul style="list-style-type: none"> Generally, have libraries with some reference materials; a research service; and parliamentary committee staff. a minimal demand for and use of information by MPs and committees. 	<ul style="list-style-type: none"> with library and research service providing reference services, produces reports, offers a clipping service distributed to all members and may track the progress of key legislation. the parliamentary information service provides a full array of services. is distinguished from the next level only by the scale of resources and the fact that it stops short of providing substantial research and analysis services that identify policy options and their impacts. an increased level of demand and use of information by MPs and committees. 	<ul style="list-style-type: none"> has substantial resources requirements and typically has a generous allocation of personal staff, strong and well-staffed committees and large research groups capable and developing policy options. MPs and committees are 'hungry' for and use information in all aspects of their work.

Figure 7.1 Authors Adaptation of A Typology of parliaments based on Nelson Polsby

Source Greenstein & Polsby, 1975 cited in INASP, 2017:25)

Concept of representation

Representation is a key principle in representative democracies, and its roots can be traced to classical political theory. In his book *The Social Contract*, or *Principles of Political Rights* (1762), Jean-Jacques Rousseau theorised that any perfect society should be controlled by the 'general will' of its populace (Rousseau, 1762). However, with the growth of population and increasing complexity of human society and its attendant needs, it became apparent that it is virtually impracticable, if not impossible, for all the members of any given human society or nation to vote and debate individually on all issues, great or small, affecting the lives of people in that society. This limitation gave birth to the representative body known as parliament, where the people's representatives converge at a particular place and time to deliberate and debate national issues on behalf of the people. This type of democracy is called a representative democracy.

A representative democracy has four main characteristics: the sovereignty of the people expressed in the electoral appointment of the representatives; representation as a free mandate relation; electoral mechanisms to ensure some measure of responsiveness to the people by representatives who speak and act in their name; and the universal franchise that grounds representation on an important element of political equality (Urbinati, 2011). These characteristics of representative democracy are realised through the creation of democratic institutions such as parliaments. The existence of parliaments as democratic institutions is essential for the responsiveness of the rulers to the preferences and/or interests of the citizens (Dahl, 2008). Consequently, Dahl emphasises a participative process and giving citizens a more active role to elect their parliamentary representatives thereby ensuring their subsequent representation in parliaments.

This practice of parliamentary representation lies in the assumption that all citizens cannot participate in the public debate and decision-making at all levels. Therefore, the legislature, in a representative democracy, is projected as a society in a macrocosm (Prasad & Dayadhar, 1978), the outcome of whose work must reflect the interest and needs of most members of the society. However, the function of the individual legislator as a representative of their constituents has been seen from diverse perspectives. While some see the individual representative as a delegate, others view them as a trustee. Others still believe that the individual representative is a politico, with a role that combines both delegate and trustee perspectives.

As a trustee, the primary role of the representative is a reflective one where the representative is seen as an agent of the people to reflect the values and opinions of the people who elected them (Arnesen & Peters, 2018). The legislator is seen as a free agent elected by the people to follow their convictions while doing their work. As a delegate, the legislator should act only on the instruction of his or her constituents. The representative acts as the voice of those who are not present. The perception is that legislators are agents of their constituency and who act according to the instructions of their constituencies as to what to do and what not to.

It is generally recognised by political theorists that, in practice, it is rare to find a system in which representatives act solely as delegates with a mandate from their constituents or as trustees who decide issues based upon their judgment and in the best interest of the nation (Russell, 2012). In practice, a combination of these two perspectives are pursued by elected officials. The politico model, therefore, emerged as a hybrid of delegate and trustee models of representation to formulate a theory that mirrors how representatives act in government (Schwartz, 1988). Representatives who do not subscribe strictly to either the delegate or the trustee view of representation are considered politicians, whose representational acts depend upon the circumstances of the decision-making process – context matters. This model is also associated with career politicians who act in any way that will help them get re-elected.

Finally, it is helpful to locate representation in the broader context of democratic governance, which includes the protection of rights, checks and balances within government, as well as other avenues for participation. While a representative government is one pillar of democratic governance, it is not sufficient to guarantee good governance on its own. Further, as the Figure 7.1 illustrates, how parliament engages with other key democratic institutions such as the media, CSOs and government entities are important considerations to strengthening a country's democratic governance. The interconnections between a representative government, the participatory engagement of citizens, fundamental rights, and checks and balances on the executive, are important to ensuring democratic governance. Moreover, parliaments, in their roles of representing citizens in governance processes, play critical roles and are critical tenets of democracy.

Figure 7.2 Global state of democracy conceptual framework

Source: International IDEA, 2019

Current trends in the representation role

The introduction of democratic governance in Africa during the 1990s saw many African countries shift to democratically elected governments based on a multiparty democratic system. Such emergent democracies witnessed parliaments beginning to exercise novel constitutional roles and functions. These roles facilitated legislatures' growth and development as independent institutions responsible for exercising more oversight and scrutiny over their governments. Since independence across Africa, parliaments exercise greater powers than ever before (World Bank, 2003). However, African states must still grapple with deeply entrenched power relationships of patronage and clientelism which stand in the way of a robust and effective representative role for elected representatives. It is also important to contend with the influence of forms of governance that reflect traditional and cultural ways of mediating the relationship between those being governed and those responsible for

governing. This has meant that paths of liberal democratisation have varied across the continent with countries adopting various ways of embedding traditional governance forms within their political systems. The relevance of the adoption of traditional forms of governance resides in how it then influences parliamentarians to understand and pursue their representative roles. Botswana, for instance, and its success in blending the Westminster Parliamentary model with the traditional institution of Bogosi (chieftainship), enabled the country to embed and extend traditional governance into legislative and administrative institutions (Molomo, 2004). From a parliamentary perspective, this has meant the constituency dimension becomes the heart of the representative function, thus making responsiveness and educating the electorate (and by implication building citizenship) an explicit feature of the parliamentary function.

The Global Parliamentary Report of 2012 indicates that “the existence of a parliament is not synonymous with democracy, but democracy cannot exist without a parliament” (Power, 2012, p. 4). Evidence from countries around the world suggests that politicians are not principally held to account for their legislative scrutiny or oversight of the executive but rather for the tangible benefits that they can deliver to voters. The challenge facing African parliaments in performing their representational roles is one of continual evolution in terms of the increasing and changing expectations of the citizens they represent. Voter expectations are high and appear to be increasing. This evolution appears to manifest itself in the manner that the public expects its representatives to deliver services different from their constitutionally mandated services. However, while MPs play an important role in appropriations and oversight, MPs cannot themselves provide services and the executive capacity to deliver services remains unequal across the continent but is often particularly lacking in underserved, rural areas most in need of these services.

In practice, particularly in the case of failures of service delivery by the state, MPs are held individually accountable for the personal financial needs of the individual constituent, such as the payment of school fees, funeral assistance, and payment of health bills (Lindberg, 2009). These expectations are reflected in the increased public expectations of what parliament can shoulder, and in the weakening of the representational role of parliament in many societies. The capacity of the MP to respond to such issues is being challenged by the volume and diversity of cases and the level of (often financial) support that citizens request. However, a failure to take on these matters as part of the role

as elected representative often means that a constituency will not return an individual to office, with the more ideological or principle-based electoral platforms failing to resonate in communities where basic needs are not met.

This creates a strong tension in the way an individual MP experiences their representative role, as well as the ways in which MPs use evidence both coming from their constituents and feeding back into their communities. While in the capital fulfilling the important roles of lawmaking, oversight, and appropriations, the MP has a 'macro' view of the needs of the communities they represent, seeing how, for example, shifts in agricultural policies or infrastructure development priorities will alter the socio-economic dynamics in the community. They often draw on available evidence to report back to their constituencies on the implications these changes will have on the people they are mandated to represent.

When MPs engage with constituents on the ground, policy discussions tend to become distant and concerns are chiefly about how basic needs will be addressed. This both stems from and contributes to a situation where the expectation of political favours in exchange for votes is transactional and is deeply entrenched. What this often reflects, as discussed in more detail in Chapter 8, is a lack of other, legitimate pathways for citizens to engage with processes of governance effectively in a way that can meaningfully shape policy or development outcomes. Furthermore, MPs are often seen as having a mandate to bring their constituents evidence to the national decision-making landscape, whether this is through discussions of prioritisation, allocation of resources, or simply by expressing the hopes and aspirations of the citizenry. This evidence, however, often takes the form of anecdotal needs and specific community needs. Individual MPs must then grapple with the gap between evidence supply and demand in the policy space. While some countries are seeing initiatives to scale citizen data in a way that can influence national policy-making processes, these efforts are not yet widespread, making engaging with citizen data challenging.

The IPU and UNDP in the 2012 Global Parliamentary Report, focused on the evolving relationship between citizens and parliaments and highlighted the main characteristics of this relationship, which are the changing expectations of citizens from parliament and individual parliamentarians and how parliaments are responding to these changing expectations (IPU and UNDP, 2012).

Clientelism, patronage and other challenges to representation

Data from the African Legislature Project (ALP) and Afrobarometer survey (2017)¹ conducted across 17 randomly chosen African countries (Barkan & Mattes, 2014) suggest that the public expects MPs to listen to their constituents and provide constituency services as the first step in understanding and being responsive to their needs, as well as to deliver benefits informed by such primary evidence (Barkan & Mattes, 2014). However, they argue in countries with constituency development funds (CDFs), “MPs have correctly gauged the extent of popular demand for a ‘localist’ MP style, or an African form of ‘home style’”. At the same time, this is precisely where MPs get it wrong and interpret these localist orientations as demand for the delivery of goods and favours to the district, and miss the fact that what citizens want is for their elected representatives to listen to their concerns and facilitate a suitable government response (Barkan & Mattes, 2014).

Amartya Sen’s often quoted conclusion, that no modern democracy has undergone a famine, proposes that democracies cannot insulate themselves from suffering. Therefore, if MPs, as elected representatives, wish to continue to hold office, they should attend to and be able to respond to the concerns of constituencies (Sen, 2003). “Recognising both the political nature of decisions and the value of the evidence to inform policy decisions (e.g. to ensure the efficacy and effectiveness and value for money of competing policy options) requires a more nuanced account of evidence which appreciates the role evidence can and cannot play in the identification and resolution of policy issues” (Parkhurst et al., 2017).

This new form of representational function, often described in the literature as ‘clientelist’, is widespread in Africa and is likely to remain a significant feature of politics in low-income countries (Van de Walle, 2009). In this new form, legislators in Africa are seen employing such practices as attending to individuals’ school fees, electricity and water bills, funeral and wedding expenses; or distributing cutlasses and other tools for agriculture, or even handing out ‘chop-money’ (small cash sums) to constituents (Lindberg, 2000), all in the name of performing their representational roles.

¹ Available from <https://bit.ly/3CToNNa>

A study in Uganda by the Africa Leadership Institute (ALI, 2008) demonstrates that what the public expects from their representatives appears to be at variance with the roles they are supposed to play as indicated in the Constitution. Ugandan voters at the grassroots will, for instance, always re-elect an MP who attends fundraisings, burials of their deceased, pays school fees for their children, and solves any other personal, as opposed to community, problems. Whether the MP attends and represents them well in parliament is beside the point (ALI, 2008).

In Malawi, the Afrobarometer survey (2006) conducted by the Institute for Economic and Social Research, found that Malawians expect their MPs to be responsive, visit their constituencies frequently, and deliver development benefits (IFESOR, 2006). An interview-based study carried out in 2008 by Lindberg shows that MPs in Ghana are held accountable by diverse political actors in the Ghanaian society for a variety of purposes (Lindberg & Zhou, 2009).

Citizens in constituencies hold MPs accountable for personal assistance and community development projects. For parliaments to navigate through these complex demands and expectations from constituents and to perform their roles as representatives of the people effectively and satisfactorily, access to reliable, accurate and valid evidence presented in an acceptable manner to parliament and individual members, is of utmost importance.

What is obvious from the discussion thus far is that whether parliaments concentrate on performing their traditional roles of lawmaking, oversight and representation, or focus on performing the new emerging roles of providing constituency services and meeting individual needs, or both, the importance of evidence-informed policy in the legislature cannot be overemphasised.

Parliamentary structures to use evidence for representation

The role of evidence in representation goes two ways. First, citizen evidence plays an important role in how MPs engage with lawmaking and oversight, bringing the interests of their constituency into their role. As discussed above, while there may be tensions as to whether these interests are expressed in terms of patronage or policy pressure, citizens are increasingly finding direct routes (for example, through social media) to collate and communicate their interests. While citizen evidence is discussed further in Chapter 8, two notes

from practice after this chapter will look at the example of how constituency offices in Zambia and South Africa can work to strengthen the representative roles of MPs and what challenges still stand in the way.

In addition to bringing evidence from citizens and fulfilling their role as representatives, parliamentarians must also find ways of bringing evidence about legislative and executive processes back to their constituencies. On one hand, constituencies are most often concerned about direct service delivery issues. Where there is limited state capacity to deliver certain services, MPs have an incentive to collate information about efforts made within the executive, challenges they face, and how much progress has been made around the provision of certain services needed. In addition, however, many MPs are champions in trying to shift the established clientelistic relationship, and one way is by communicating to constituency groups that the oversight and legislative roles that they play affect the people they represent and the developmental aspirations of their constituency.

This process can be a challenge because it requires taking evidence that is often not designed exclusively for policy decision-making and determining how to contextualise it locally. While many parliamentary researchers build skills and experience in this process due to demand from MPs, the limited availability of locally relevant, useful data on development in many localities across the continent means that the process of translating national processes and decisions into localised development outcomes involves a significant skills, time, and capacity on the part of the parliamentary researchers. A degree of conjecture is also involved, given the variability in available data.

Promises for representation

Despite the tremendous challenges to effective governance that are reflected in the representational dilemmas faced by MPs, as well as the limitations in the ways in which the electorate's aspirations are reflected in the outcomes of elections, there are also a number of promising signs of representation across the African continent.

Figure 7.3 How evidence use can strengthen the representative role of parliamentarians

Source: Authors

One such promising sign is the increased awareness and realisation of the value of evidence use by MPs, particularly the new mechanisms that parliaments are utilising and developing to improve representation via the parliamentary oversight processes. This systematisation of evidence and, in particular, evidence for oversight, serves to undermine some of the clientelistic tendencies of representative institutions by incorporating checks and balances for evidence-informed decision-making. This is further bolstered by trends towards transparency which equips citizens with a stronger information base around whether elected representatives are acting in the interests of the people they serve.

A second promising sign is a strong focus on state capacity in parliamentary discourse. Governance across Africa cannot be understood without also acknowledging the ways in which the region's colonial history undermined economic development and left a legacy of systems that excluded citizens from decision-making processes. As a result, many political considerations were deferred as African leaders struggled with how to meet the basic needs citizens. Parliaments are often at the nexus of processes to build a capable state while simultaneously seeking to build space for participation and inclusion in decision-making. While the track records of African states are obviously varied and diverse, an increasing number of countries are investing in education and critical social services thereby capacitating people to rise above poverty, in part through effective public sector policy implementation.

Finally, African governments are now more than ever able to integrate innovations in governance that may not have been available either to previous generations, or to countries facing different developmental challenges, particularly in the arena of data use for representation. Uniquely equipped with the youngest electorate in the world, the region is poised for a promising technological evolution, more so in this region than in many others in the world. Organisations like Mzalendo, which uses technology to link constituents to their representatives in Kenya, are increasingly creating space for citizen-generated data to play a role in the way representatives relate to their electorate. This is a clear example of evidence systems themselves shaping the representative role of parliamentarians. As MPs begin to respond to this changing context, the linkages between a representative government and other forms of participatory engagement, and a capable state, are likely to strengthen.

Conclusion

This chapter discussed evidence use in the representational roles of parliamentarians. A snapshot was provided of how this is located in complex social, political and technological shifts and changes which fundamentally affect the way that evidence is gathered and used. The authors have sought to make the case for greater evidence and information use in strengthening the sector by demonstrating the links between evidence and parliaments' representational roles, and have also tried to show that a nuanced understanding of African parliaments is required. The exploration of the issues is by no means exhaustive and it is hoped that others will continue to explore and add to the emergent observations.

A broad view has been taken of evidence use and the multiple factors that shape how evidence is gathered and used. Some of the major contextual factors have been identified as they relate to shaping evidence for parliamentarians to represent their electorate, particularly the influence of the executive, the electoral system, and the growth of and need for evidence use. Also highlighted are a number of key institutional factors shaping evidence use within parliaments, some of which are practical while others are more behavioural. These include the information support system, institutional culture around evidence use, support from members, and the processes and systems which structure evidence needs and the gathering and synthesis of evidence to meet those needs.

The practice notes that follow present practical understanding of constituency offices as approaches to enhance parliamentary representation. For example, this could be by ensuring that constituents can openly deliberate on their development-related concerns, and also that their needs are heard and that MPs voice these needs in parliamentary sittings or committee deliberations to ensure inclusive policymaking. Practices from the parliaments of Zambia and South Africa are examined.

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7.1

NOTES FROM PRACTICE: REPRESENTATION THROUGH CONSTITUENCY OFFICES IN THE PARLIAMENT OF ZAMBIA

Japheth Chanda

Strategic Objective 4 of the National Assembly of Zambia Strategic Plan 2015-2019 relates to enhancing the representative function of parliament. Citizen engagement and public participation are key to realise this objective. To this end, the National Assembly has established constituency offices in all the 156 constituencies across the country. The move to set up constituency offices formed part of the parliamentary reforms and political change that swept the country in the late eighties and early nineties. With the re-introduction of multiparty politics in 1991, and as a way of enhancing democratic governance, the National Assembly of Zambia found it prudent to realign the functions of parliament with the demands of plural politics. This called for the introduction of parliamentary reforms with a view to addressing some of the limitations that existed in the institution. The establishment of constituency offices was one of the key recommendations in the area of member/constituent relations aimed at promoting citizen engagement and participation in legislative processes. This vignette will highlight the work of the constituency offices as an illustration of citizens' engagement in parliamentary processes.

Established in 2003, the constituency offices have the core purpose of performing the 'representative' function of parliament at local level. They are central places where constituents can exchange information and ideas to empower the MP in carrying out his/her work as their representative in all spheres of parliamentary work. In the initial years of operation, a number of interventions were employed at constituency office level to sensitise the public on governance issues and to generate interest for the public to participate in national matters.

The significance of constituency offices in Zambia

Facilitating exchange of issues from citizens to parliament

Constituency offices in Zambia have played central roles in facilitating the exchange of information between MPs and their constituents. An informed citizenry is key in citizen engagement in governance matters. In order to enhance meaningful information dissemination and exchange among the members of public and the governance systems at lower level, libraries have been established in constituency offices. Constituency offices support the primary function of parliaments which is the legislation and oversight of the activities of the executive. This includes legislation of what government intends to bring into parliament and it relates to broad range of issues such as alleviation of poverty through provision of services such as health and education; efficient

service delivery; addressing corruption; prevention and treatment of HIV/AIDS; as well as the implementation of measures addressing gender imbalances and good governance in general.

Constituency offices were also established as central places for constituents to interact with their members of parliament and to present issues to be passed on to parliament. However, it became apparent that some issues presented to constituency offices could only be addressed by other stakeholders within the constituencies. Thus, staff in constituency offices now seek to identify stakeholders involved in community development as well as service provision and to connect constituents to the relevant stakeholders for support.

Facilitation of MP-Constituent Feedback

As constituency offices continue to be made aware of issues and incorporate them into reports for the action of the MPs, some issues are expected to feed into parliamentary debates. However, some issues just need the attention of the MPs for action and constituency offices ensure that feedback from MPs is transmitted to constituents. Constituency offices facilitate interactive platforms such as open days (meet your MP) to provide feedback on identified issues and also to inform the constituents on policy changes and national developmental programmes.

Public hearings

One central way in which input from constituency offices makes its way into parliament proceedings is through parliamentary committees. Programmes of work of parliamentary committees include citizen engagement and participation in the form of public hearings. As part of community mobilisation function, constituency offices are used as information centres for committee hearings. Constituency offices work closely with staff from the committees department of the National Assembly to ensure that timetables for the public hearings are circulated. There is also a deliberate policy to ensure the integration of public hearings in the annual work plans of constituency offices. Constituency offices collaborate with key local stakeholders such as District Commissioners and Council Secretaries to undertake the following:

- ▮ Develop and implement district and constituency level committee hearings awareness and mobilisation plans;
- ▮ Present topical issues that affect people at district level for possible consideration; and
- ▮ Prepare and coordinate public hearings as part of the District Coordinating Teams.

Constituency offices further convey information regarding timetables of meetings to constituents. In addition, constituency offices encourage constituents to make submissions on topics of interest as individuals or on behalf of their constituencies. To ensure inclusivity and increased community participation, constituency offices further work with community radio stations in communicating programmes on the work of parliaments. Through these platforms, MPs share the latest developments around policy changes, national development programmes, and constituency development activities.

Constituency office libraries

Another effort towards improving citizens awareness of legislative processes is through the constituency office libraries at the parliament. The aim is to provide technical support in information management and include valuable resources such as the constitution; the catchment area of constituency; information on traditional leadership; government departments available; parliamentary proceedings; the different national policies and laws; and National Assembly publications. The introduction of constituency libraries has contributed to increased access to information on the work of parliament; national policies and laws; and other developmental issues. While availing these resources has the potential to contribute to ensuring a well-informed citizenry capable of participating in the governance of the nations, there is a need to further examine who uses them and how accessible and useful they have found the information in informing their active involvement in parliament processes.

The piece illustrates the engagement of citizens with parliamentary processes through the constituency offices in Zambia. This has been an important intervention in ensuring that citizens' issues are part of parliamentary deliberations and thus fostering citizen representation. Constituency staff traditionally work in collaboration with different stakeholders such as the relevant government departments, traditional leaders, civil society and local authorities. However, there is a further need to foster even closer collaboration between constituency offices and local authorities to ensure improved delivery of services to constituents.

**NOTES FROM PRACTICE:
PARLIAMENTARY
CONSTITUENCY OFFICES
TO STRENGTHEN
REPRESENTATION IN
SOUTH AFRICA**

Ressida Begg and Jacqueline Thomas

Parliamentary Constituency Offices (PCOs)

There are approximately 350 PCOs across South Africa where members of the public can approach elected representatives and request assistance and support. The parliamentary calendar includes regular periods for members (both MPs and MPLs) to devote time to constituency work. The parliamentary programme also allocates every Monday while in session as well as several weeks during the year for MPs to focus on constituencies. During constituency periods, members are obligated to be available to constituents and help solve service delivery problems experienced by members of the public as well as provide feedback to constituents on what is happening in parliament (In session, Parliament of RSA, August 2013).

MPs spend time in their constituencies performing their oversight function during parliamentary constituency weeks. It offers members an opportunity to meet and engage with the public around issues of concern and to find solutions to problems raised by local communities. PCOs are meant to play a pivotal role in public participation and to create an enabling environment for the public to become active citizens and to take part in parliamentary activities. Services that give effect to this are direct interaction with MPs and the opportunity to lobby representatives, report-backs from MPs, and advice on how to access services from both public and private sector establishments (Parliament of South Africa, 2020). They also assist with challenges faced by local communities in terms of access to services as well as participation in parliamentary processes, such as preparing submissions or drawing up and presenting petitions. Members also participate in committee meetings so that they are able to share constituency-related evidence.

Members are allocated constituencies by their party. Parties with very few parliamentary representatives in parliament are compelled to allocate vast geographical areas to a single member. For example, if a party only has one seat, the relevant MP will have to service the entire country as his/her constituency. Some constituencies will have more than one representative as different parties are responsible for allocating their representatives.

While Parliament and the nine provincial legislatures make available the funding for PCOs, the different political parties ensure the establishment of the PCOs including the employment of administrative staff to run the daily operations. Political parties receive allowances to set up and maintain the PCOs. Yet, in

reality, not all members are assigned PCOs as the allocated resources to parties are considered to be inadequate. This is usually the case for small political parties as, in most instances, the MPs' and MPLs' constituency allowances are pooled by the parties to establish a smaller number of PCOs.

PCOs are funded by public resources and, officially, they are an essential component of parliament and provincial legislatures. Even though policy requires that parties provide parliament with evidence, efforts to source such evidence from political parties about the location of PCOs and the members assigned to each has, in some instances, proved difficult.

PCOs, by their very nature, are a fertile ground for the collation of evidence on basic services provided by local government as well as services falling within provincial and national competencies. The direct engagement between a member and his or her constituency allows members to collate information on these and, in the same vein, provides constituents with direct access to parliament and information on parliament. This serves as a conduit for evidence from constituencies and for parliament to meet its intended recipients.

The HLP Report (2017) revealed that while PCOs do exist and even though MPs are provided with constituency offices and are compelled to provide services to their constituents, the majority of people are not aware of the presence of such offices or who their constituency representatives are. It further revealed that in South Africa, citizens are generally not aware that constituency offices are parliamentary offices but are frequently perceived to be party offices and anecdotal evidence suggests that MPs provide services to their party constituents and not to all members of the public.

The unequal access to evidence on the existence of PCOs and their roles and functions impacts negatively on the oversight functions of parliament and its influence on access to constituency services by constituents and the extent to which MPs and MPLs execute their representation roles.

Administrative evidence use during lawmaking

The national legislature of South Africa, as in the case of Ghana, uses administrative evidence when passing legislation. The key legislation that dictates public finances is the Public Finance Management Act (PFMA, Act 1 of 1999, as amended) which forms the foundation of parliament's oversight over

the executive and its departments and entities by setting out clear guidelines for fiscal allocations and the spending thereof. The PFMA represents the South African government's attempt to establish a results-oriented or performance-based budgeting system. It highlights performance contracting, strategic planning, monitoring and evaluation (M&E) and reporting.² Lack of compliance with these guidelines led to severe criticism emanating from the yearly reports of the Auditor-General. The reports identified omissions, gaps and weaknesses in the functions and operational realities of the public finance system (Okojie, 2017).

Evidence from citizens and other stakeholders on legislative processes

One of the founding values of the Republic, as set out in Section 1 of the Constitution, is a system of democratic government to ensure accountability, responsiveness, and openness. This finds expression in the constitutional requirement that the rules of the Houses (the National Assembly and the National Council of Provinces) must have due regard to, amongst others, representative and participatory democracy and public involvement. It also finds expression in the duty imposed by the Constitution on both Houses to facilitate public involvement in their legislative and other processes and of their committees.

In parliament, the legislative process starts with the introduction of a Bill by the executive through a member of the executive, or a minister on behalf of the president. The Bill is at that point referred to the appropriate Portfolio (NA) Committee for deliberations and report-back to the plenary. At this stage of the committee process, the committee requests evidence from the public, including interest groups and individual citizens, to inform the final decisions of the committee. The secretariat of the committee advertises the Bill inviting submissions from citizens, interest groups, and other stakeholders to make input into the Bill. Sometimes stakeholders and interest groups are invited to meet the relevant committee to present their case and the required evidence. Such inputs from the public are listed in the committee report to the plenary, as part of documents consulted by the committee in arriving at its recommendations.

² *Induction Handbook for Members of Parliament and Provincial Legislatures, South African Legislative Sector*, 130

Where the Bill impacts on provinces, it will be referred to the NCOP for processing via its select committees to obtain mandates from provinces. Provincial legislatures are also required to embark on their public involvement processes to collate evidence on the desirability of the policy underpinning the draft legislation. The importance of this type of evidence to parliament's committees cannot be overemphasised. As representative institutions, parliaments safeguard the interests, views, and values of the public it represents. This type of evidence is paramount in its policy decisions. Inviting submissions and inputs from the public to inform decisions of the committee is a manifestation of the extent to which the interests and concerns of the citizens are well represented in parliament.

In South Africa the structural arrangements that are responsible for the provision of evidence to parliament are described in detail in the case study on South Africa in Volume 2 of this series.