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# Positive Parliament

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This work is designed to familiarise citizens of South Africa with what are likely to be little known aspects of their Parliament. Not only does it promise to differentiate and contextualise the role of the party within parliament in simple terms, it also aims to provide a brief snapshot of some of the more positive elements of parliament (as perceived by its workforce) so that those on the outside may have a glimpse into its institutional life (and with it, the foundations of a nascent trust in its work.)

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*The views of the writer and this piece are not necessarily the views of the Konrad-Adenauer-Stiftung.*

It's time to consider the role of parliament in South African society as distinct from the party and government. A better understanding will not only create space for a more positive outlook on democracy, but will open doors for citizens to steer the institution towards the South Africa they would like to see.

Positive about parliament!

As South Africa's electoral preferences continue to change, the inner scaffolding of Parliament, as an institution, will become increasingly relevant. Electorally dominant parties tend to make for weaker parliaments, while greater political competition offers space for stronger parliaments. In a country where a single party has formed the lion's share of the political landscape for so long, it is understandably tough to imagine just what a 'strong' parliament might look like. 2024 has proven a watershed moment for the political landscape in South Africa, and with it, a window of opportunity to reflect on the most critical component of any democratic space: your parliament.

So what exactly is a parliament? And what was it made to do?

In the most basic sense, parliaments are institutions designed to re-present- to make present again- the society in which it is housed. Parliaments make decisions on behalf of the people; they act in the general interest of the public as policies, programmes, regulations and laws are developed. They prioritise citizen's concerns over private and personal gain. However, from here, differences begin to arise. Though the representative nature of parliament remains a constant, the functions emphasised- and the ways in which these functions are employed- differ wildly across countries.

The first point to keep in mind is that parliaments are nearly everywhere. They exist in both democracies and autocracies. Parliaments can be used to make governments look legitimate. (Who could fault an institution created by and for the people?) But they can also be used to oversee governments and hold them to account for their actions. Some parliaments go further still and make laws and national budgets themselves. In most cases, however, parliaments work to influence laws and budgets to modest degrees or simply provide ascent to legislation drafted by the executive.

But the potential functions of parliaments do not stop there. In fact, parliaments can, in theory, play just about any role the electorate deems fit. They can act as a pressure gauge- resolving and mediating conflicts. They can serve quasi—judicial roles when needed, or even play diplomatic roles- creating, tending, and mending relations across the globe. The list goes on.

In each case, the plethora of decisions made by parliaments each day have a direct bearing on people's lives. And because the stakes are so high, citizens have a responsibility to shape their parliaments as they see fit. The institution is, literally, theirs to be had.

In South Africa, the constitution tasks a bicameral parliament with representing the interests of both individuals and the provinces. Seen together, these chambers select the President, provide a forum for debate, pass legislation and oversee government action. These are the functions included in the constitution that went live in 1996.

Don't parties themselves do each of these things? How does the party differ from parliament?

Political parties populate parliaments. And although each have a critical role to play in holding governments to account, these are distinct institutions meant to complement each other, not compete for space. This is because parties and parliaments have largely different objectives. Parties represent certain subgroups of society and contest for electoral wins. Parliaments, in contrast, represent society as a whole and make decisions on their behalf. (The complexity means that MPs are faced with competing loyalties- one of the many balancing acts required of the job.)

The political parties of South Africa aggregate the country's varied interests. They draw from the ideas of different ethnic, regional, religious, and socio-economic groups, in order to produce a manifesto that can be used to market their distinct vision for the country. If these visions were not broken down into smaller parts, it would be difficult to imagine the interests of some 60 million persons making it to the negotiating table. Parties make democratic decision-making practical. They then compete in elections to gain political power and form governments. By aggregating the interests of South Africa's citizens, and competing for the right to govern, parties provide a platform for citizens to participate in the political process through elections.

Of course, just how citizens participate in the electoral process depends on the particular system adopted. And the decision is an important one, because it establishes the relationship between parliaments and its constituencies. South Africa opted for what is known as a system of 'proportional representation'. This means that rather than voting for individuals at the constituency level, citizens select a party. This party is then awarded seats in parliament according to the proportion of votes received.

As much as parties differ from parliament, to parliament differs from government.

Just as the choice of electoral system matters, so does the constitution type. Constitutions outline societies' values, but also the rules by which the 'game' of governance is played. Governments can be formed from the ranks of parliament, but parliament and government are not the same.

Though there is about as much variation within systems, as between them, a rough sketch of two main models are presented here. In 'presidential' systems (so named because the President takes on the role of both 'head of government' and 'head of state') the division between the legislature and the executive is clear. On the one hand, there is an executive, elected separately from the legislature. On the other, there is a legislature which operates independently from the executive. The visible power struggles between the American President and Congress offer an easy example of the way in which a system, based on a 'separation of powers,' may play out. In these cases, the legislature is designed to act as a countervailing force, separate from the executive. In these cases, its 'strength' is measured in its ability to create or influence government policy.

South Africa, in contrast, has opted for a 'parliamentary' system of government (with relatively minor tweaks). So what is the role of parliament here? In parliamentary systems, parliament forms the central

institution of government. It is fused to the executive and the executive is held accountable by parliament's Members. One obvious marker of this type of system is the recruitment of government Ministers from amongst the parliament's ranks. This overlap ensures a bridge between the two branches, positioning the institution for internal scrutiny, deliberation and negotiation.

This means that rather than the parliament, as an institution, acting as a check on the executive, it is the parties within parliament that are meant to take on this role. The official opposition serves as the most obvious example, but parliamentary committees- to the extent that these are present and can maintain a level of political objectivity from government- can also play an important oversight role. Because government and parliament are co-joined, the oversight conducted in parliamentary systems is often less visible than that in presidential systems. (And where single party dominance is left unchecked, the system is rendered mute.)

Overall, in parliamentary systems, parliaments act as a partner in government's work- deliberating on the issues of the day, rather than challenging its policies outright. There is a mutual dependence here; the performance of one depends on the performance of the other. For this reason, parliaments in parliamentary systems are less likely to house a robust committee system or cadre of specialised research staff than parliaments in purely presidential systems. This is not to say that all presidential systems have these elements, or that all parliamentary systems do not. But rather, that the design of the system itself provides incentives that nudge a parliament towards a particular end.

Political parties then compete in elections to gain political power and form governments. These can be forged from a single party, multi-party coalitions, or through various forms of alliances and negotiations in between. Once in power, parties work together in order to implement policies, deliver public services, and managing public resources in line with the constitution and the country's wider body of law.

So what IS a parliament?

At its core, parliament serves as a re-presentation of the society in which it is housed. Parliament is what the constitution says it is, and a reflection of what its electoral system has it do. It regulates the behaviour and decision-making of competing political visions. But more critically, parliament is what citizens ultimately ask it to be.

In South Africa, where one party has dominated the political system for so long, it is tempting to conflate the party and government with parliament. Until recently, each of these have each operated in relative unison. But the time has come to rediscover parliament as a distinct institution. A better understanding of its purpose- and its uniqueness when compared to other parliaments across the globe- will give citizens much needed traction in steering it towards the South Africa they want to see.