Dilemmas of public participation in policymaking in South Africa

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Articles

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Problemy dotyczące udziału społeczeństwa w kształtowaniu polityki publicznej w Republice Południowej Afryki

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Abstract: The effectiveness of representative democracy in South Africa is questionable, given the lack of confidence in the Parliament and the recurring service delivery protests, which indicate that citizens' opinions are unheard. Due to this, the Members of Parliament (MPs) devise strategies such as democratic innovation to involve citizens in policymaking as the platform for deliberation. Given this context, the paper discusses public participation in policymaking and how declining confidence in the Parliament necessitates democratic innovations as a panacea for increasing citizens' participation in Parliament activities. The paper also identifies dilemmas that occur in public involvement. Data was generated by interviews (with 16 MPs), observation of plenary debates, minutes of the Parliament, Hansard, minutes of Select and Standing Committees, and Parliamentary speeches. Findings suggest that despite the complexity of implementing public participation in South Africa, the Parliament has made significant progress since 1994 in widening democratic innovation to facilitate public participation. However, disadvantaged people continue to be marginalized from policymaking. The paper suggests that there is a need for political education and public participation in policymaking to strengthen democratic institutions in South Africa.

Keywords: parliament, national assembly, policymaking, public participation, South Africa, democratic innovation, proportional representation.

Streszczenie: Skuteczność demokracji przedstawicielskiej w Republice Południowej Afryki jest wątpliwa, na co wskazują powtarzające się protesty dotyczące świadczenia usług publicznych, potwierdzające, że opinie obywateli są niesłyszane, oraz brak zaufania do Parlamentu. W związku z tym posłowie opracowują strategie stanowiące przykład demokratycznych innowacji, które mają zaangażować obywateli w kształtowanie polityki publicznej jako platformy do dyskusji. W tym kontekście w artykule omówiono udział społeczeństwa w tworzeniu polityki publicznej oraz to, w jaki sposób spadek zaufania do Parlamentu stanowi przesłankę tworzenia demokratycznych innowacji jako sposobu na zwiększenie udziału obywateli w działaniach Parlamentu. W pracy zidentyfikowano również problemy, które dotyczą zaangażowania publicznego. Dane pochodzą z wywiadów z 16 posłami, obserwacji debat plenarnych, protokołów parlamentarnych, raportów Hansarda, protokołów komisji selekcyjnych i stałych oraz wystąpień parlamentarnych. Wyniki badań sugerują, że pomimo złożoności procesu zwiększania zaangażowania społecznego w Republice Południowej Afryki Parlament od 1994 r. poczynił znaczne postępy w poszerzaniu demokratycznych innowacji wykorzystywanych w tym celu. Niemniej jednak osoby znajdujące się w niekorzystnej sytuacji nadal są marginalizowane w procesie kształtowania polityki publicznej. W artykule wskazano potrzebę edukacji politycznej i udziału społeczeństwa w tworzeniu polityki publicznej w celu wzmocnienia instytucji demokratycznych w Republice Południowej Afryki.

Słowa kluczowe: parlament, zgromadzenie narodowe, kształtowanie polityki publicznej, partycypacja publiczna, Republika Południowej Afryki, innowacje demokratyczne, reprezentacja proporcjonalna.

Declining citizens' trust in the Parliament as the people's voice is prompting countries to devise strategies to include and consult citizens in policymaking. Representative democracy elects the Members of Parliament (MPs) to represent citizens, speak, and vote for their constituents (Parliament of South Africa, 2018a; Loeper, 2016; Khanyile, 2015). In a representative democracy, public participation is essential in policymaking as one of the hallmarks of representative democracy. Public participation in policy involves interested citizens, civil society, and non-government actors in the deliberative process of policymaking before implementation (Gumede, 2021, Mankuebe & Manicom, 2020; Hill & Varone, 2017; Corrigan, 2017). Strategies to increase public trust in the Parliament and public policy are democratic innovation. Democratic innovation is an umbrella term for democratic institutions that engage citizens in policymaking (Smith, 2019; Åström, 2019; Floridia, 2017). Democratic innovation facilitates and increases citizens' access and participation through institutions designed to increase public involvement in institutional practices in policymaking and political decision-making processes (Martin, Åström, & Magnus, 2020: 114). Democratic innovation includes town hall meetings, citizens' assemblies, deliberative polls, participatory budgeting, petition, consultations, and forums (Smith, 2019; Åström, 2019; Elstub & Escobar, 2019; Floridia, 2017). A policy has a vision that outlines its ultimate goal as a sequence of action. Public policies are broad: regulatory, distributive, redistributive, transversal, department-specific, and policy directives (Ngcaweni, 2019: 11).

Public participation in the policy process is a necessary precondition for representative democracy in promoting democracy, good governance, and accountability (Kabingesi, 2021). Inclusivity, accessibility, openness, consultation, shared decision-making, and transparency are the tenets of public participation (Oni et al., 2020: 5). Public participation in the policy process entails enlisting and facilitating the involvement of individuals affected by or interested in a decision (Parvin, 2018; Parliament of South Africa, 2018a). Public participation is the process through which public concerns, needs, and values are integrated into government decisions (Kabingesi, 2021: 16). Public participation occurs through direct citizen participation and associations. Kabingesi (2021: 17) distinguishes between "direct citizen involvement" and "participation through associations" as the two types of public participation. Direct citizen engagement refers to actions taken by individuals from the public to influence directly decision-making processes, such as presenting a submission on proposed legislation to a parliamentary committee. Participation through associations denotes a group effort, with a chosen individual representing the submission of that specific organization (Kabingesi, 2021). Participation through association is typical in civil society organizations, where a well-known person is chosen to represent the organization's viewpoints during the

Parliament's legislative or policymaking procedures (Kabingesi, 2021). Public participation involves methods and approaches to inform the public, elicit public input, consensus, and agreement, depending on the type of policies sought (Parliament of South Africa, 2018a). Public policy is influenced by the interface between the state and interest groups that bargain over a wide range of issues in policymaking (Gumede, 2021; Lassance, 2020). The primary goal of public policy is to influence decision-making processes to reflect the people's will (Hill & Varone, 2017; Corrigan, 2017). The benefits of public participation in policymaking minimizes conflict and improves decision-making. Participating in and contributing to the decision-making process, public participation draws on the dialectical interplay between authority, influence, and power (Gyan 2021: 2). Public participation improves the efficacy of government and the legitimacy of policy. Encouraging community voices in policymaking might increase governance efficacy (Van Holm 2019: 136). According to Masuku and Macheka (2020: 8), public participation involves community engagement at the grassroots level as a means of articulating their voices and participation of the people. During the policy process, citizens act as a check on policies and minimize the capture of democratic institutions by privileged groups (Mankuebe & Manicom, 2020).

South Africa is not immune to public participation in public policy. In light of this, the paper discusses public participation in the policymaking and dilemmas of public participation in South Africa. Data was generated from interviews, minutes of the Parliament, Hansard, minutes of Select and Standing Committees, Parliamentary speeches, and other institutional records. Sixteen MPs were interviewed and assigned pseudonyms MP1–MP16. The justification for the small sample size is because of the rich data they provide on the phenomenon under study (Dawson, 2019). Semi-structured interviews were conducted with MPs in 2016 during a research visit to the National Assembly, Cape Town. Semi-structured interviews gather data from participants on a certain topic (Creswell, 2014). The semi-structured interview permits open-ended questions for in-depth, thorough follow up questions and information (Dahlin, 2021).

The Parliament and public participation in public policy

South Africa operates representative democracy through Members of Parliament (MPs). South Africa uses a bi-parliamentary system established by Act 108 of the 1996 Constitution (Parliament of South Africa, 2018a). The Parliament comprises the National Assembly and the National Council of Provinces. The Parliament represents people's views and opinions, influences constraints, demands a justification for government actions, and gives them legitimacy (Seedat & Naidoo, 2015). The Constitution (Republic of South Africa, 1996) empowers the Parliament and sets the parameter on MPs' duties, which involve oversight, legislation, and accountability. Seedat & Naidoo (2015: 5)

highlight that in a modern democracy like a parliamentary system, the separation of powers is more than the initial goal of avoiding dictatorship and protecting freedom but continues to fulfil the particular vision of an ideal state of a nation. In the same vein, Constitution Act 108 of 1996 established the Parliament at the national level and the provincial level, evident in a bicameral Parliament comprised of the National Assembly (NA) and the National Council of Provinces (NCOP) (Parliament of South Africa, 2021). The National Council of Provinces constituted in 1996 replaced the Senate that operated under the 1994–1996 interim Constitution (Mbete, 2016; Parliament of South Africa, 2021).

The South African Parliament is located in Cape Town with 400 elected MPs. MPs in the National Assembly are elected for five years, guided by the Electoral Act, Act No. 73 of 1998, which regulates the election of MPs into the NA and NCOP. The importance of MPs in the Parliament is evident in their roles balancing conflicting social interests during policy formulation (Mbete, 2016; Allen & Cairney, 2017; Booysen, 2014). The Constitution reiterates further the authority of the Parliament as an autonomous institution for its power to amend the Constitution and enact legislation per section 44 of the Constitution (Seedat & Naidoo, 2015; Republic of South Africa, 1996).

The Parliament also reinforces constitutional principles in the political system and creates a bond between the government and its people (Parliament of South Africa, 2021; Mbete, 2016; Booysen, 2014). It acts as the link between the government and citizens by raising awareness of democratic dispensation, encouraging public input in parliamentary processes, and a model for democratic governance (Parliament of South Africa, 2021; Piombo & Njizink, 2005). The 1996 South African Constitution empowers the existence of the South African parliamentary system. The 1996 Constitution stipulates three branches of government: the executive, the legislature, and the judiciary. The Constitution also stipulates the separation of powers by establishing various structures devised to distribute force between the different spheres of government (Seedat & Naidoo, 2015). It also places specific institutional checks and balances to avoid abuse of power (Seedat & Naidoo, 2015). Playing a critical role in representative government, Members of Parliament (MPs) represent electorate views as the "voice of the people" (Tebogo, 2018; Khanyile, 2015). MPs are referred to as "bourgeoisie," "governing elite," "governing class," "Members of Parliament," "MPs," "representative elites," and "political class" (Osei, 2018; Allen & Cairney, 2017). MPs are also political leaders in representative democracies because of their strategic influence on politics, policies, and political outcomes (Osei, 2018; Allen & Cairney, 2017).

Based on the Droop formula, MPs are selected in South Africa by a "closed list" proportional representation system (PR) (Ferrer, 2020; Booysen, 2014). The Droop formula implies that contesting parties' seat counts are determined according to their vote share (Booysen, 2014). The majority of the European countries such as Austria, Belgium, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Greece,

Iceland, Latvia, Liechtenstein, Luxembourg, Monaco, Montenegro, the Netherlands, Norway, and Poland also elect their legislators by proportional representation (Emmenegger & Walter, 2019; Michela, 2018).

However, proportional representation has its shortcomings because the electorate vote for a party rather than an individual. Electorates may not know a given MP and challenge establishing a robust relationship between MPs and the electorate. In the PR system, political parties assign geographical areas to their members after the election, but constituencies are not well defined. Also, links between communities and MPs are weak. The limitation of proportional representation in South Africa does not establish intense contact between citizens and elected officials. This manifests in recurring protests across the country, demonstrating a failure of participatory democracy because citizens believe their opinions are not heard. State takeover, other forms of corruption, and a lack of care have exacerbated community tensions after 24 years of democracy. MPs are subject to political party dominance that prevents the exercise of significant oversight responsibilities over the executive. Secondly, the party-list proportional representation system restricts younger MPs from exercising oversight over senior members from the same party, who influence the composition of the list during the next elections. Thirdly, MPs of the majority party turn against their party policies being implemented by the executive. This is dissuaded by the disciplinary parameters of the system of selection for office. MPs make laws, oversee the executive, facilitate public participation, and co-operative governance by their positions. MPs influence policy through legislation and oversight in the Parliament (Allen & Cairney, 2017; Republic of South Africa, 1996).

Specific values must be adhered to in the formulation of public policy in South Africa. All parliamentary policies and structures in South Africa must comply with the principles to ensure legitimacy and constitutionality. These are human dignity, equality, freedom, non-racialism, the supremacy of the constitution, and the rule of law. Policymaking in South Africa is also guided by the National Policy Framework, which establishes policy development and execution procedures. Amongst such is public participation in policymaking, as highlighted in South Africa's Constitution (Republic of South Africa, 2020).

Public participation in the policy process in South Africa occurs through the democratic innovations put in place at the National Assembly and Provincial legislature. These are Sectoral Parliaments, Standing and Portfolio Committees at the national and provincial level, Parliamentary Democracy Offices, and Constituency Offices (Parliament of South Africa, 2021). Other democratic innovations to advance and promote public participation are public pre-hearings and hearings, petitions, education, outreach, and information dissemination (Parliament of South Africa, 2018a). These are discussed in subsequent sections of the paper.

Public policy management

Policy management is key to the discussion on public participation in South Africa's public policies. The policy framework suggests cutting-edge techniques to achieve an inclusive public participation process. It seeks to provide a clear direction to stakeholders. Policymaking in South Africa is also guided by the National Policy Framework, which establishes policy development and execution procedures (Republic of South Africa, 2020).

A policy vision should align with the Manifesto, the Constitution, the national, provincial, municipal, and departmental priorities (Ngcaweni, 2019: 10). South Africa's policymaking is patterned by policy frameworks in Malaysia, the United Kingdom, Canada, Australia, and Kenya. Public policy is a declaration of intent and the manifestation of political mandates (Parliament of South Africa, 2018a). The policymaking process starts with a "green paper," that is a discussion paper created by a given department on a specific policy issue. The white paper, which represents a broad statement of government action, is the refined discussion document occurring after the green paper. A draft law is created from a white paper through the legislative drafting and consultation process. This was widely acknowledged as the accepted procedure for establishing public policy in the early post-1994 period. Also, drafting the green and white papers was not as thorough over time. In many cases, legislation was drafted without accompanying policy documents (the green and white papers), which led to weakened legislative proposals and the possibility of judicial challenges (MP9). Challenges also manifest in an apparent misunderstanding of policy terms. It is difficult to distinguish between green papers, white papers, discussion materials for policy, policies, laws, rules, frameworks, and strategies (South African Government, 2020: 6). Moreover, there is the issue of standardized and holistic approach to establishing policies in South Africa supported by evidence. Due to these, the South African Cabinet adopted the Socio-economic Impact Assessment System (SEIAS) in February 2015 to strengthen policy creation, efficient, robust legislation, and regulations per the Medium-Term Strategic Framework (MTSF) (Department of Planning, Monitoring, and Evaluation, 2015). The Cabinet initiated SEIAS due to the involvement of several structures, actors and a cumbersome law-making process. SEIAS prioritizes social cohesion, security, economic inclusion, economic growth, and environmental sustainability policies (Department of Planning, Monitoring, and Evaluation, 2015: 6). SEIAS increases policy coordination and capacity, strengthens policy coordination and meaningful participation (South African Government, 2020: 3). SEIAS was the first significant phase in ensuring that proposed public policies are thoroughly analyzed for possible impacts, costs, benefits, and risks. Before approval, all policies, laws, and regulations are subjected to SEIAS to examine their effects and contribute to the National Development Plan priorities.

SEIAS addresses the lack of consistency in the public participation process execution and suggests methods to increase its effectiveness and efficiency. SEIAS also addresses the lacuna of several policies that the courts invalidated due to technical flaws in the constitutionality and consultation procedures. Thus, the policy framework suggests cutting-edge techniques to achieve an inclusive public participation process. It seeks to provide a clear direction to consult the impacted stakeholders. This also alludes to stakeholder consultation as a requirement of the SEIAS process, which aims for genuine stakeholder involvement rather than conformity with the Constitution and other legislation. Furthermore, SEIAS ensures that departments assess potential costs and risks linked to formulating a given policy, law, and regulation and suggest ways to mitigate them, in addition to enhancing policies and assisting in determining if they are worthwhile. Secondly, it addresses the deficiency in implementation in the participation process and identifies measures to improve the effectiveness and efficiency of implementation. Thirdly, it addresses the lack of consistent implementation of the public participatory process to date and improvement in the effectiveness and efficiency of its implementation (South African Government, 2020: 6). A repository of government policies was systematically built from SEIAS reports and accompanying proposals submitted to the SEIAS Unit by national departments for analyses and quality assurance. The repository platform allowed participants to learn about policy and legislation creation, coordination, implementation, capacity, best practices, and cross-cutting issues. Nevertheless, policy issues persist in South Africa because the government lacks a structured and coherent approach to developing evidence-based policies. Proposed public policies are thoroughly analyzed for likely impacts, costs, benefits, risks, and alignment as stipulated in the National Development Plan.

However, policy coordination is also hindered due to the decentralization of policymaking in national government departments. By implication, each branch or directorate has a policymaking function. This leads to inconsistencies in policy coordination and oversight. Another issue is the recruitment of government professionals and experts who frequently lack prior exposure and proper orientation in public policy, hence they lack experience in policy formation and implementation (Department of Planning, Monitoring, and Evaluation, 2015). To address the lacuna of SEIAS and other challenges of policymaking, the South African Cabinet approved the National Policy Development Framework on 2 December 2020. This embeds effective public policymaking practices in South Africa by establishing explicit principles for effectual policy development and execution (South African Government, 2020: 3). The National Policy Development Framework regulates policy management processes.

All government departments follow the National Policy Development Framework when drafting public policies to ensure policy uniformity, policymaking cycle, expected standards, and institutional arrangements for effective policy development and implementation (South African

Government, 2020: 3). This is also to ensure that policy coordination is prioritized as a potent weapon to overcome policy discrepancies and a lack of structural reforms in light of the "Vision 2030" National Development Plan. Thus, this seeks to increase policy coordination and capacity, strengthen policy coordination and facilitate meaningful participation (South African Government, 2020: 3).

Beyond votes: democratic innovation

Citizens' participation in public policy is an essential component of democracy. It strengthens democratic institutions in South Africa. Numerous strategies have been devised to make public policies align with citizens' social demand, increase participation, and enhance their capacity for engagement in public affairs. The National Assembly developed a public participation model to define mainstream norms and standards for public participation in parliamentary processes to promote effective public participation in lawmaking and oversight (Parliament of South Africa, 2018a).

Public participation in policymaking is not a recent development in South Africa. However, it was constrained before the entrenchment of a democratic constitutional dispensation in April 1994. The previous skewed and undemocratic government was replaced in 1994 by adopting a democratic constitutional dispensation. As a result, it created new possibilities for public participation in formulating and executing policies. The 1996 South Africa Constitution widened public participation in government affairs. In representative democracies, demands for greater direct citizen participation have also garnered growing momentum.

The Public Participation Framework on Parliament (PFF) was finalized in 2013. Other initiatives are Sectoral Parliaments, Parliamentary Constituency Offices (PCOs), petitions, education, outreach, information distribution, pre-hearings, hearings, and post-hearings (Parliament of South Africa, 2021; Kabingesi, 2021). Before passing policies, the National Assembly and provincial legislatures engage with the public (Mankuebe & Manicom, 2020). However, the PPF is not legally binding because of claims to define basic standards, while simultaneously stating that it gives a guideline, as is the case with most written official documents. How well the Parliament could meet those baseline objectives in specific terms is doubtful, given the quick rate at which various activities are carried out. Equally, the lacunae of proportional representation in South Africa necessitate democratic innovations spearheaded by the National Assembly and Provincial legislature that foster public consultation.

Democratic innovation is a platform to meet the needs and expectations of the population to have a voice in policies. The shortcoming of proportional representation suggests that the electorate vote for a party rather than an individual (MP14). Electorates may not know an MP and challenge a robust relationship between MPs

and the electorate (MP2). In the PR system, political parties assign geographical areas to their members after the election, but constituencies are not well defined (MP7). Also, links between communities and MPs are weak (MP8). The proportional representation does not establish intense contact between citizens and elected officials (MP1). As expressed by MP16, the party-list proportional representation system restricts younger MPs from exercising oversight over senior members from the same party who influence the list's composition during the next elections. Thirdly, MPs of the majority party turn against their party policies being implemented by the executive. This is dissuaded by the disciplinary parameters of the selection system for the office. These are Sectoral Parliaments, Parliamentary Democracy Offices, and Parliamentary Constituency Offices (Kabingesi, 2021; Parliament of South Africa, 2018a; Sefora, 2017).

In addition to environmental scanning, there are public pre-hearings and hearings, petitions, education, outreach, and information dissemination (Parliament of South Africa, 2018a). These platforms aim to bring the Parliament closer to the people through public activities. The 1996 South African Constitution bolsters the importance of public participation and accessibility to policymaking processes. What is more, the Parliament provides a platform for participatory democracy where the public is actively involved in decision-making processes such as lawmaking (Kabingesi, 2021; Sefora, 2017). To this effect, the Parliament initiated democratic innovation to increase public participation in policymaking to meet citizens' expectations to have a voice in policies.

The overview suggests that the Parliament must facilitate public engagement through participatory democracy. Thus, South Africa's National Assembly promotes public participation through democratic innovation, where citizens voice their opinions on issues that concern them to influence decision-making processes to represent the people's will. South Africa's Parliament employs various techniques to involve citizens in public policy, as discussed below.

Sectoral Parliaments

Sectoral Parliaments and People's Assembly are platforms for certain special interest groups to discuss their concerns through public participation (Kabingesi, 2021). Sectoral Parliaments address issues on marginalized populations with unique needs, such as young people, women, laborers, and people with disabilities. It is also a platform to strengthen accountability and oversight on issues affecting marginalized populations. Sectoral Parliaments address difficulties that marginalized populations encounter (Parliament of South Africa, 2018a). These platforms bring the Parliament closer to the people by offering forums for citizen engagement in legislative processes at community venues. The National Assembly and the provincial legislatures engage with the public, organizations, and government agencies before enacting policies (Mankuebe & Manicom, 2020).

Parliamentary Constituency Offices (PCOs)

Public participation is also strengthened through the interaction of the public and MPs at Parliamentary Constituency Offices PCOs (Parliament of South Africa, 2018a; Kabingesi, 2021). The MPs in South Africa represent citizens' interests as public representatives who interact with people (Parliament of South Africa, 2018a). In carrying out their duty, MPs and their parties have PCOs arrangement to provide the public with information on government activities in the Parliament. 350 Parliamentary Constituency Offices are established in South Africa's nine provinces. Citizens can access MPs and ask for assistance through PCOs. In addition, PCOs provide citizens with assistance in accessing services such as social grants, housing, health, and other social services (Letlhogonolo, 2020). Taking the Parliament to the People (TPTP) was initiated in 2002 by the NCOP and is held twice yearly (Parliament of South Africa, 2018c). The TPTP responds to community concerns, fosters accessibility to marginalized communities, and gives public members a chance to voice their opinions on issues that affect them (Parliament of South Africa, 2018b). The Taking the Parliament to the People program facilitates discussion between citizens and MPs (Kabingesi, 2021).

Constituency Offices also have procedures to disseminate trustworthy information and assist in delivering important services to the communities they serve because they are the first point of contact for people. Like other government institutions, the Constituency Office system should aid communities in times of great need.

Building relationships with communities and facilitating partnerships in the PCO's law-making process are vital responsibilities. "The Parliament also views the MP and the PCO in the community as an extension of its mission to bring the Parliament and public participation close to the citizens for whose benefit it creates and passes laws" (MP13). Although a party may specify a geographic region MPs represent, MPs elected through a proportional representational party list do not have a geographically designated PCO. Moreover, MPs receive information from their PCO, respond to constituents' concerns, and work to resolve issues. Due to political party affiliations, Constituency Offices are politicized, rendering them unavailable to specific groups within communities (Kabingesi, 2021).

Parliamentary Democracy Offices (PDOs)

Sections 59 and 72 of the 1996 Constitution reiterate the Parliament's role and obligation to facilitate public participation in its legislative process. Keeping up with this, Parliamentary Democracy Offices were also established to facilitate the process of active participation. To ensure that marginalized people can participate in legislative procedures, Parliamentary Democracy Offices are located in under-resourced communities. However, Constituency Offices do not communicate

effectively with communities and channel community complaints to designated MPs. Moreover, there is duplication between Constituency Offices and PDOs. Equally important are participatory events, such as the Taking the Parliament to the People program, which is crucial in closing the gap between the Parliament and its constituents, reaching out to rural communities who would otherwise be excluded from lawmaking and oversight procedures (Kabingesi, 2021: 40). The other programs facilitated by PDOs are environmental scanning, education, outreach, and information dissemination.

Education, outreach, and information dissemination events are organized once a week when the the parliament is in session. This occurs through workshops on education, tours of the Parliament, school education, and information programs, also through targeted media initiatives, such as community radio stations, websites, the Government Communication and Information System (GCIS), and municipalities. Furthermore, public participation is strengthened through various measures, including deploying Members of Parliament (MPs) to constituencies, holding public hearings on legislation by portfolio committees, and soliciting oral and written submissions (Kabingesi, 2021; Parliament of South Africa, 2018a; Sefora, 2017). Environmental scanning entails that the offices identify and collect data about community problems, demands, and concerns and inform the Parliament and ensure that their programs' goals are accomplished.

Petition

A petition is also a valuable approach to influence public policy. A petition may be submitted any time by the public to allow an individual or a group to address a complaint, request, representation, or submission to the Parliament after exhausting all other options (Kabingesi, 2021; Parliament of South Africa, 2018a). A Member of Parliament (MP) must present the petition officially to the Speaker of the National Assembly in the National Assembly on behalf of the petitioner. An MP is not required to support the petition to the NCOP, but the petition must adhere to the NCOP's rules (Parliament of South Africa, 2018a). The petition will be presented in the appropriate House and referred to the relevant Committee for review and reporting if it satisfies all the conditions. While petitions can be forwarded to any committee in the National Assembly, a specific committee in the NCOP handles petition processing. Committees ensure that each petition approved by the Parliament receives proper attention and is resolved. A petition may be submitted any time by the public to allow an individual or a group to address a complaint, request, representation, or submission to the Parliament after exhausting all other options (Kabingesi, 2021; Parliament of South Africa, 2018a).

Nonetheless, there are challenges with the petitioning process, such as when the public is unaware of the Committee's mandate and the parliamentary petitions process. Most petitions filed to the Parliament are not legitimate and not thoroughly reviewed before being forwarded to the

Committee. Similarly, the Committee is allotted just a short amount of time to consider petitions and examine the execution of executive orders; there is little to no capacity building for the staff and MPs to enable them to carry out the Committee's dual mandate successfully.

The dilemma of public participation in policies

Even though South Africa has a public participation framework and democratic innovation in fostering public participation in policymaking, there are obstacles to meaningful public participation. These include limited legislative resources, a lack of public interest/knowledge, poor legislative communication, the inadequacy of democratic innovation platforms, a lack of feedback from MPs, and a disconnection between participation and the public's contributions to policy decisions (Gumede, 2021; Kabingesi, 2021; Tebogo, 2018; Sefona, 2017). This results in the inadequate follow-up of issues raised by the public and the lack of feedback mechanisms that undermine public participation.

Another obstacle to public participation are citizens' socio-economic conditions, especially of disadvantaged populations frequently excluded from policymaking. There are disparities in how well-resourced and educated people are involved in public participation compared with the under-resourced public members.

The well-resourced people could participate through the formal channels to give oral submissions or attend meetings, which is impossible for under-resourced individuals (Eckerd & Heidelberg, 2020). Although public participation frameworks may adhere to legal requirements for public inclusion, the contribution is unevenly distributed and superficial. This alludes to power imbalances frequently acting as a barrier to public participation for those well-off, older, more educated, connected, or who benefit from the status quo (Eckerd & Heidelberg, 2020: 135). Due to their connection to social capital and resource availability, income disparity, socioeconomic position, and education are key predictors of participation rates and the responsibilities assigned to participants (Van Holm, 2019: 136).

In the same tone, the Parliament also does not provide adequate time for the public to prepare oral and written comments, it frequently gives three weeks or less, limiting their ability to make meaningful contributions to a policy. An example is a short window given to the public that was granted a brief opportunity to submit comments on the Protection of Information Bill known as the "Secrecy Bill," which coincided with the 2010 FIFA World Cup, thus, diverting focus away from the relevant national policy. The absence of public engagement added further to community organizations' opposition to the bill, which regarded it as an attempt to stifle disadvantaged people's access to policymaking. However, in some cases, the Parliament excludes citizens intentionally from the policymaking process. In such instances, exasperated civil society organizations and ordinary citizens turn to the Constitutional Court for redress when laws are passed without input

from the public in policymaking. The Communal Land Rights Act of 2004 is an example. In this lawsuit, four rural communities claimed they were excluded from the legislative process and that the conclusion was unlawful. The Constitutional Court ruled that the method by which the law was passed was illegal because provinces were barred from performing the role that the Constitution assigned them in the passage of legislation affecting their constituents.

Similarly, limited access to the media also hindered some communities from obtaining information on the Parliament's activities. Rural communities need desperately information on their rights and any new legislation that may affect them. Access to resources such as the internet is still restricted. Information on public participation in parliamentary activities and policymaking is advertised in Sunday Times, The Mail, and The Guardian. Nonetheless, illiterate citizens in poor communities do not read newspapers. The underprivileged citizens have limited chances of oral submissions in the Parliament unless the civil society organizations represent them, which comes with its limitation.

Democratic innovation platforms are also formal and hinder the involvement of illiterate citizens due to the overuse of the English language. However, the Parliament invested in language services to interpret communication to circumvent materials to address the language barrier in public participation (Mankuebe & Manicom, 2020).

Constituency Offices are hampered by inadequate and inconsistent funding because such funding is accounted for by political parties rather than the Parliament or communities. The situation is made worse because parliamentary events such as public hearings are sometimes under-publicized, resulting in insufficient public involvement and extensive deliberations. Some citizens are unaware that parliamentary committee meetings are open to the public. Anyone attending them must bring their identity documents (IDs) or passports. Moreover, people are unaware that they have access to the Parliament; they think that the Parliament's work happens through the plenary sessions on television. Besides, there is an issue with policy content because of ambiguities in policy vocabulary. There is a lack of clear distinction between green and white papers policies and legislation. Similarly, several policies are frequently muddled. This lack of clarity has oftentimes discouraged the citizens from publication participation.

Conclusion

It can be concluded that citizen participation in policymaking is essential to democracy. The article has investigated the likelihood of these assertions for South Africa's local participatory policymaking initiatives, focusing on how citizens and the government interact in a democratic setting. The findings demonstrate that people's involvement in these projects is minimal, with their primary function being to provide information on which the government bases its choices. However, the paper makes the case that citizen involvement has several beneficial effects

on democracy, including increasing public engagement, encouraging people to listen to various viewpoints, and enhancing the legitimacy of decisions. People also feel more responsible for public matters due to citizen involvement.

The paper indicates that the Parliament is mandated constitutionally as one of the critical arms of the government to articulate the interests of its citizens. Democracy is based on citizen engagement and participation in the policymaking process. Democracy is impossible to achieve until citizens engage in the process freely. However, voting is not the only viable means for citizens to have their views heard by MPs, as citizens' participation in policy influences government decisions. While it is clear that the Parliament has made efforts to create "the Parliament for the People," these endeavors are pointless unless its Members are willing to lead by example in increasing public engagement. MPs visiting their constituencies but failing to share input with the appropriate government ministries exemplify this. However, despite a public participation framework to facilitate it, public participation in policymaking faces obstacles (Kabingesi, 2021).

Although the Parliament is transforming ways that give citizens a significant role in agenda-setting and shaping public policy that affects them, the paper suggests that the Parliament should strengthen democratic innovation to promote broader public participation in policymaking. It is essential to reform the PR electoral system. Currently, South Africa elects its MPs through a "closed list" proportional representation system. While this system has its merits, it has its flaws as well, since voters elect a party rather than an individual, and they may be unaware of who the party elects to present them.

"Public participation safeguards democracy and encourages accountability and responsiveness to the public's input in the decision-making process" (Kabingesi, 2021: 20). Also, "public participation, as an important feature of democracy, is an important element of governance which, when utilised, results in optimum service delivery to the community" (Madumo, 2014: 130). Therefore, public participation is not merely limited to issues pertaining to service delivery. However, it offers the public an opportunity to ensure that the government is accountable for its activities and acts within the parameters of law in policymaking. When it is successful, public engagement can result in a greater understanding of the community's needs and solutions to its current problems. Citizens take on more responsibility for carrying out policies and making decisions.

However, as opposed to what is generally believed, public support for democracy and its institutions and policies also depends on continual and frequent interaction between the public and the government.

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Additional information