

PERSPECTIVES ON PARLIAMENT

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WHAT IS POLITICAL PARTICIPATION?

Any activity by the mass public in politics such as voting, rallies and campaigns, debate or demonstrations but to mention a few, is called political participation.¹

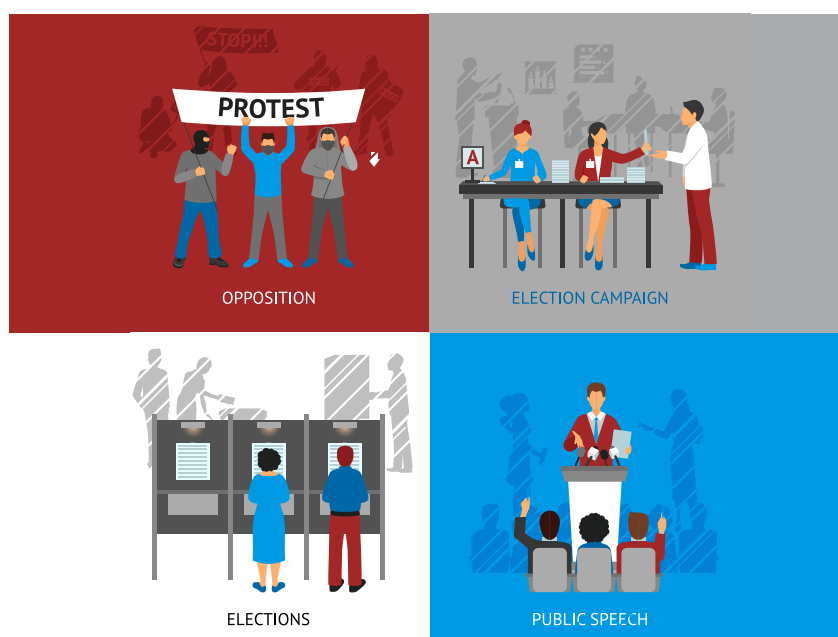
“All citizens shall have the right to participate in peaceful political activity intended to influence the composition and policies of the Government. All citizens shall have the right to form and join political parties and; subject to such qualifications prescribed by law as are necessary in a democratic society to participate in the conduct of public affairs, whether directly or through freely chosen representative”

- Article 17 (1) Namibian Constitution

Public participation in the political process is necessary to maintain a valid democracy. It's especially important in Namibia, where people vote parties into parliament instead of candidates, making it more difficult to hold individuals accountable. However, for people to be able to participate effectively, certain structures need to be in place. Access to information, free and fair elections, and accessible government spaces are just some of the things are needed. It is important to note that the Namibian government has not yet passed an access to information bill, which definitely limits the power of the public.

¹ Carole Jean Uhlener, in International Encyclopedia of the Social & Behavioral Sciences (Second Edition), 2015

HOW TO PARTICIPATE IN GOVERNMENT



There are three branches of government: the legislative (parliament), the judiciary (courts) and the executive (parliament). The constitution is the supreme law of the country, which contains principles that keep the branches of government from interfering with each other, as each branch is meant to function independently of the other.

The public can participate in some of the actions of these branches, but only up to a certain point. Firstly, of course, Namibian citizens have a constitutional right to vote in National Elections every five years, and therefore choose the members of the National Assembly. In this way, they are able to influence the composition of the legislature and the executive, as Cabinet members are traditionally chosen from the National Assembly.

The judiciary branch (i.e. the courts), include the public by holding public consultations about planned legal reforms. The insights from these public engagements are meant to give lawmakers greater insight so that any new legislation actually works in the interests of the Namibian people.

There are also a few instances when people can be physically present during the governing process: the public is allowed to sit in the National Assembly sessions (including events such as the Budget Speech and the President's annual State of the Nation Address); and court hearings are open to the public.





ELECTIONS

As the Electoral Commission of Namibia (ECN) is preparing for the November 2019 Presidential and National Assembly elections, Namibians around the country are encouraged to participate in this democratic process by casting their vote.

Voting is one of the ways that citizens can participate in political activity. When a person casts their vote, they decide who governs by directly voting for the President. They also, indirectly, chose their legislative representatives by voting their party of choice into the National Assembly. Therefore voting remains the main activity during which citizens are able to directly influence the composition of government.

The right to contest for elections: Every Namibian citizen has the right to form, register or join political parties. It is equally the right of all Namibian citizens to contest in elections; at Local and Regional Authority level (Councillors) and for the office of the President, as an independent candidate. The registration process for both political parties and for independent candidates is facilitated by the ECN. The ECN is governed by the Electoral Act 5 of 2014, which is the legal instrument outlining the functions and powers of the commission as well as the electoral process in Namibia.



PARLIAMENTARY DEBATES

A great form of participation in the legislative process is attending parliamentary debates.

Members of the media and researchers in particular tend to sit in and listen to debates, which then informs their analysis and articles on many issues that the Namibian public would otherwise not have been privy to. The public is allowed to observe parliamentary debates, however there are instances where members of parliament can vote to exclude access to members of the public. This type of instances will however need to be communicated to the public well in advance.²

² See Article 61 (1-2) of the Namibian Constitution "Public Access to Sitings"

PUBLIC CONSULTATIONS ON LEGAL REFORMS

The Law Reform and Development Commission (LRDC) is mandated to reform and develop laws in Namibia, through the Ministry of Justice.

These processes often include public consultations. Whilst article 95(k) of the Constitution makes provision for the public to influence government policy, no law exists that makes the facilitation of this provision a strict requirement, as the proposed law-making process that includes a public participation step has not been approved by the Office of the Prime Minister and remains in draft form.

Notably, public participation is a concept that the Government is trying to instill across government offices, ministries and agencies, to complement its e-government roll out. This is because it is important for government to go beyond placing notices in newspapers calling for public consultations on legal reform. A step further can be to harness the potential of social media to raise awareness, as well as introduce civic education programs on national broadcasting programs. Using widely accessed media such as television and the radio, this would make the process of reforming the country's legal infrastructure more inclusive.

PUBLIC PROTEST

Sometimes the most effective way to get government's attention is to protest publicly.

The same way that workers can organise a strike to get the attention of their managers, citizens can protest and lobby either for government to act on a specific issue or against a government decision. Successful examples of public protest in the Namibian political landscape include the public rejection for the construction of a new parliament in 2016 directed at the legislature. A strike organised by taxi drivers in 2018 resulted in a 20 percent increase in taxi fares (which are regulated by the government). In another example, unemployed graduates protested to raise awareness about youth unemployment, which motivated some private sector companies to introduce more opportunities for young graduates.



ACCESS TO INFORMATION ON GOVERNMENT ACTIVITIES

Often people do not participate in political activity because they do not have information about how to do so, or even what needs to be done. Below is a list of sources of information on government activities in Namibia;

The Executive

The Namibian government has a web portal with website links to all government Ministries and agencies. The homepage also reflects recent statements and remarks by the President as well as civic information, which citizens are required to participate in government.³ However, public documents are not always uploaded to the website in a timely fashion, threatening the citizens' right to information.

The Legislature

The parliament website is a rich source of information on its composition as well as bills tabled or presently being debated. Anyone can access parliamentary papers such as minutes and orders for both the National Assembly and National Council. The parliament library is open to the public (with free wifi on request) and those interested in reading what a member of parliament said verbatim can access the Hansards (the written record of everything said in Parliament sessions) at the library.⁴

The Judiciary

The Office of the Judiciary is financially and administratively independent from the branches of government. Information on the Supreme, High and Magistrates Courts can be found on its website.⁵ Citizens have a limited impact on the activities judiciary, apart from during legal proceedings.

³ See www.gov.na

⁴ See www.parliament.na

⁵ See www.judiciary.na

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ABOUT DEMOCRACY REPORT

Democracy Report is a project of the IPPR which analyses and disseminates information relating to the legislative agenda of Namibia's Parliament. The project aims to promote public participation in debates concerning the work of Parliament by publishing regular analyses of legislation and other issues before the National Assembly and the National Council. Democracy Report is funded by the Embassy of Finland.

ABOUT THE IPPR

The Institute for Public Policy Research (IPPR) is a not-for-profit organisation with a mission to deliver independent, analytical, critical yet constructive research on social, political and economic issues that affect development in Namibia. The IPPR was established in the belief that development is best promoted through free and critical debate informed by quality research.



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