ENGAGING WITH PARLIAMENTS: ADVICE TO CIVIL SOCIETY

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Abstract
This paper provides concrete suggestions that will assist well-informed civil society leaders who wish to influence their own parliaments to achieve legislative and social change. The challenges and best practices highlighted are based on the author’s work advising and training more than 120 civil society organisations in the Balkans, Middle East, South East Asia and Africa.

While this paper will not focus specifically on the role that parliaments play in the African Peer Review Mechanism (APRM),¹ all the techniques described could easily be applied by civil society actors working to advance their issues in this way. Regardless of the country, building relationships with decision-makers in government institutions requires similar actions. These include familiarising yourself with your country’s electoral system, conducting good research that supports your claim, identifying and supporting your strategically chosen political champion and ensuring your organisation has public legitimacy.

Victoria Ayer is an attorney and former staff member to two Members of the US Congress. She has worked internationally for the last decade. Over 30,000 copies of her six module Advocacy Expert Training series have been published and are available online at: http://www.pactcambodia.org/publications.htm#Advocacy_and_Policy. An early draft of this paper was presented at the ‘APRM and Reform’ Workshop held by the South African Institute of International Affairs (SAIIA), at the Birchwood Hotel, Johannesburg, 20-22 November 2007.
How did that MP get there? Understand the electoral system

The tendency of the executive branch in a developing democracy to deliberately hoard power causes many civil society leaders to dismiss parliaments as mere rubber stamps. This is a mistake. The perception that parliament lacks power is a self-fulfilling one, often used by non-governmental organisations (NGOs) to rationalise their own failure to interact with a parliament that could accomplish much more given the proper information and support.

Unlike ministers, members of parliament (MPs) are usually more accessible, with fewer gatekeepers barring the way and should therefore be an excellent starting point for any civil society organisation that is serious about advocacy. Many MPs take their mandate to represent their geographic district or ideological constituency seriously; most have spent considerable personal funds in their campaign and may have left lucrative careers to answer the call to public service. Not every MP is corrupt, morally deficient or incompetent. But if you never interact with parliamentarians, you won’t know which ones you can count on.

The criticism by civil society leaders of parliamentarians’ lack of independence displays a lack of understanding of the institution. By their design, parliaments concentrate power in a select elite within a political party. In most countries, the seat held does not belong to the individual MP but rather to the victorious political party. In Ireland today, an MP who votes against party-sponsored legislation without prior permission will be removed.

In Western Europe, where the parliamentary system has the longest history, loyalty to one’s party remains paramount. The idea that an MP might act contrary to his or her political party is considered anathema, not just by political parties but also by citizens who do not want rogue MPs to work against the platform that they explicitly supported with their vote. In parliaments around the world, both government and opposition political parties employ a ‘whip’ – an 18th century hunting term – who ensures that MPs vote as their party dictates on a particular measure. While certain parliaments have begun to assert greater independence,' this has remained confined to an expansion of their traditional role of overseeing the executive rather than proposing novel or alternative policies.

An independent-minded MP is more likely to exist in an electoral system that requires each MP to represent a particular geographic district (‘single-member district’) by winning a majority of votes (‘first-past-the-post’). Presuming that a minimum of fraud has occurred, a successful MP in this system has built a high degree of recognition as an individual among a majority of voters living in a defined area. This independent power base gives MPs the ability to bargain on a more equal basis with their political parties.

In contrast, if the electoral system has multiple MPs representing the same geographic area (‘multi-member districts’), includes MPs appointed rather than elected to represent ethnic or geographic divisions, or obscures individual MPs’ identity (through use of a closed list), such power is harder for an elected MP to exert. In such systems, voters may not even be given the names of the candidates; they simply choose a preferred political party, which is the only information listed on the ballot.

Among the countries currently considered to be democracies in sub-Saharan Africa, only nine have an electoral system that uses the strict single-member majority system (Botswana, the Central African Republic, Ghana, Kenya, Liberia, Malawi, Mauritania, Sierra Leone and Zambia). The remaining democracies use systems that have multi-member districts and appointed members, or use different electoral systems in parallel. The remaining countries in Africa are categorised as emerging democracies or as having ‘restricted’ democratic regimes and tend to employ multi-member districts and other methods that favor political party control.

Merely having an electoral system that encourages the independent exercise of power, however, will not necessarily result in a particular MP choosing to use or even acknowledge the existence of such power. Electoral systems are not designed in a vacuum but rather by political elites, usually to reinforce an existing political culture. Even the most independent-minded MPs are unlikely to alienate their political party completely since that would cut them off from opportunities to advance.

However, as a civil society activist, you have a greater chance of encouraging that MP to find a unique voice under the single-member majoritarian electoral system, particularly if you can tie your issue to the needs of his or her district. As described below, this requires civil society activists to understand how their issue resonates among the citizens of the MPs’ district and to use this knowledge to convince the MP to take action.
Though it may feel frustrating at times, part of your role will involve educating your MP on issues that may seem obvious. A combination of inexperience, structural pressures and lack of resources means that many parliamentarians do not understand the broader role they can play in shaping society. In addition, most MPs are generalists and have not been selected for legislative expertise. Some have spent years developing expertise in non-political professions before running for office.

A clear grasp of the electoral process is just the first step to understanding what motivates your MPs. View your newfound relationship as a partnership. The more you understand their motivations, the easier it will be to present a compelling case that demands action. To be successful, you must be strategic in complementing their needs with your strengths. One of civil society's most powerful tools is its unmatched ability to gather and analyse public opinion from all sectors. Similarly, civil society actors, unlike politicians, can advance arguments based on their legitimacy to act as a moral authority and their commitment to long-term, non-partisan approaches to human development.

**Good information is a powerful tool**

Many MPs have limited access to information, even about the working of their own districts. Few parliaments provide enough resources to help them carry out their district-based duties in any meaningful way. Some parliaments actively discourage MPs from establishing strong connections with their districts, usually by requiring them to live in the capital city for their entire term. In Ethiopia, for example, parliamentarians (who are elected under a single-member majoritarian system), recently reduced their twice-yearly constituency visits to a single one, claiming that most matters raised by constituents were better resolved by ‘local authorities’.

The resource situation in parliaments is not much better. Typically, only a small number of MPs will have an office, usually those at the highest level of administration and chairs of committees. Staff is similarly limited. At best, each committee may have its own clerk but most MPs will not have any staff members. Archive and research areas in parliaments are often woefully neglected, located in inaccessible areas, or strewn with piles of unsorted papers. Wages for parliamentary staff are low, making recruitment of qualified researchers, lawyers and technical personnel difficult. Training of new MPs in even the most rudimentary procedures is almost non-existent. Despite having received sophisticated electronic voting machines for each MP, the Ethiopian parliament still votes by a show of hands – two years into their term – because the parliament has no resources (or will) to train MPs in the proper use of the three-button console.

Some parliaments have made efforts to address these inadequacies. The Ugandan parliament, for example, has been helped by international donors to develop a professional nonpartisan library and research staff. An organisation serious about working with parliament should identify and befriend parliamentary staff, particularly committee clerks who have responsibility for setting agendas, arranging for testimony and evidence to be heard, and can arrange for access to the MPs on the committee.

In contrast to parliaments’ general lack of resources, civil society organisations based in capital cities can often afford to pay their executive directors more than an MP earns, employ the best young minds from university and have sophisticated technical equipment. The ability to take the time to conduct the research needed to formulate a solid policy is well beyond most MPs and their limited, over-worked, primarily clerical staff.

Almost by nature, politicians are suspicious and conspiracy-theory minded. Some of this is pure paranoia; some is actually based on experience. Politics can often seem dominated by smart motivated people who spend a great deal of time ruminating over real and imagined conspiracies.

As a civil society organisation, the greatest asset you can bring to the MP is your ability to gather and analyse information in an accurate, non-partisan way. Before approaching an MP with your specific request, find out how constituents feel about your issue. Conduct a simple survey in his or her district (choose a busy market, bus stop, etc.), not to embarrass the MP but to demonstrate that his constituents are concerned. Don’t walk into an MP’s office without knowing this information.

If the MP does not represent a particular constituency, find out what his or her political party leadership feels on the issue, at a minimum by examining the party’s stated platform or policies. Determine where your
Practical tips on how to lobby your legislator or elected official

1. Establish your agenda and goals.
   - Know what subject you are going to address in a meeting. Don’t overload - stick to no more than two or three issues.
   - Decide what you would like to get out of the visit - i.e., a commitment to vote for your issue, leadership on the issue, or simply for information.
   - Allow time for small talk at the outset, but not too much.
   - If it is a group visit, decide who will start the discussion and put your agenda on the table.

2. Listen well.
   - Much of lobbying is listening, looking for indications of the elected official’s views, and finding opportunities to provide good information.
   - If you are meeting with a ‘silent type’, draw her/him out by asking questions.
   - If you are confronted with a ‘long-winded type’, look for openings to bring her/him back to the point.

3. Be prepared, but don’t feel that you need to be an expert.
   - Most elected officials are generalists, like many of us. Do your homework, but don’t feel that you need to know every little detail of an issue. Air personal feelings and experiences where appropriate. Relate the concerns of friends and members of the community.
   - Know when to admit ‘I don’t know’, and offer to follow up with the information.
   - Be open to counter-arguments, but don’t get stuck on them. Don’t be argumentative or confrontational.

4. Don’t stay too long.
   - Try to get closure on your issue. If you hear what you had hoped for, express your thanks and leave. If you reach an impasse, thank her/him, even if disappointed, and say so. Leave the room to continue the discussion at another time.

5. Remember you are there to build a relationship.
   - If the elected official is good on an issue you’ve been involved in or has supported your position in the past, be sure to acknowledge your appreciation during the visit.
   - If the opposite is true, think of the phrase, ‘No permanent friends, no permanent enemies’. Some day, on some issue of importance to you, he or she may come through. In the meantime, your visit may prevent the official from being an active opponent. In other words, you may help to turn down the heat on the other side.

6. Follow-up is important.
   - Be sure to send a thank-you note after the visit. If commitments were made, repeat your understanding of them. If staff members were present, write to them too. They can often be important allies.

Adapted from Common Cause, 1989.

Proposal fits, or can be made to do so. If the platform is silent on your issue, persuade the policymaker why it would be to the party’s benefit to include it. The number one reason is that doing so will attract more voters.

Find a champion – or create one

Despite the structural and political pressures that make independence unlikely (and akin to political suicide), MPs are often criticised by civil society leaders for their failure to act as mavericks in public. The criticism is misplaced. NGO leaders who take the time to build strong relationships with their MPs will discover that the results are worth the effort.

In any country, but most noticeably in developing democracies, political elites form a small group that exchanges positions and favours on a regular basis. Developing ties with an MP with accurate, timely information will ensure
that your voice is heard where it matters. Ultimately, that is how your ideas become incorporated into policy and law. All too often, NGO leaders focus on gaining public recognition for themselves rather than helping the right person with the necessary authority to make the right decision.

Before arranging the initial meeting, find out as much personal information about the MP as possible – place of birth, education, religion, marital status, committee membership, previous profession. Use this data to choose the staff member or director who will attend the meeting and be able to maximise the feeling of connection. MPs are people too. If your NGO has never worked with parliament before, an excellent first step is to create a parliamentary ‘face-book’. This should be a simple publication that includes a photo of each MP (which every politician loves) along with basic contact details and committee positions. Get the appropriate permissions first. Then conduct simple, open-ended interviews. This should not been done during an active part of your advocacy campaign but rather as part of relationship-building.

Your organisation should have at least two meetings a year with targeted MPs – the chair or deputy of the relevant committee, an MP with whom you have personal ties – simply to keep them informed. Don’t just call when there is an emergency. Remember that this person may be in office for many years and that you are building a relationship.

If you have laid the groundwork for a relationship based on trust, it will make your job much easier when you need immediate action. In a crisis situation, you will be looking for an MP to serve as a champion of your cause. Your ideal champion is an MP from the governing party who is willing to support your cause openly and build support where necessary. Sometimes you will quickly find an MP who is willing to take a risk. Usually, this is due to some combination of personality, luck, timing and the needs of their constituents/political party. More often, you will have to meet with several MPs in hopes that one of them will become your main proponent – your champion.

There is no point in aligning yourself with the opposition if it won’t advance your cause (even if you find the government loathsome). Of course you should still lobby opposition members, particularly if they are in positions of power (in some countries like Uganda, opposition members chair committees).

Experienced MPs understand – or will learn – the levers of power in their institution and they, not you, have the power to vote. Help them persuade other MPs to become allies by providing accurate information and building public support for your issue through the media.
Understand parliament, its limits, and the role of MPs

At the most basic level, it should be clear that the Executive Branch, not MPs, formulates policies. Though some governments make an effort at public consultations, policies generally emerge behind closed doors, with little public input and are based on political necessity.

However, complex policies like poverty reduction strategies or a government’s official APRM Programme of Action (POA) are likely to serve as the blueprint for all government actions within a given timeframe. Work with your champion to ensure that your issue is included in the relevant policy or you may find that your concerns will be put off until the next time that policy is drafted.

Passing a law does not require previous adoption of a relevant policy so, in theory, if an MP has a right to introduce legislation under your country’s constitution, that gives your champion a lot of power to assist you. In practice, even in countries where MPs can introduce legislation (such as Uganda), the executive will scoop it up and introduce the draft as its own. Do not view such co-option as a failure but rather as a validation of the relevance of your work. Your goal should always be that positive change happens in the lives of real people. Make sure that the executive doesn’t sit on the draft and that you make the appropriate input and amendments. If the executive hijacks your bill and completely misrepresents your original intent, then you may find yourself campaigning against it.

When you find an MP willing to take your idea seriously, make sure you have thought through the consequences of any proposed policy or legislation. There is no such thing as good legislation that is poorly implemented. Good legislation takes into account the behavioural changes needed to ensure compliance and proper enforcement.

Finally, know which donors, if any, are providing funds for technical assistance and capacity building of MPs or the parliament. Many donors have adopted a ‘rights-based approach’, which means that most parliamentary support programmes include activities designed to strengthen NGO-MP relationships. Find out if your organisation can provide mock testimony to a committee, submit briefing papers, or participate in panel discussions.

NGOs = good, politicians = bad. Not always…

As the saying goes, before you throw stones, make sure you’re not in a glass house. Ensuring that government spends public money in an accountable, open way is an incredibly important role for civil society to play. However, few NGOs publicly reveal their own budgets even though the vast majority are funded entirely with public money, albeit often from foreign taxpayers. Most donors will not oppose publication of your budget or audit reports as this

Pastoralist Forum Ethiopia (PFE)
www.pfe-ethiopia.org
Ethiopia is home to more than 12-15 million pastoralists (people raising livestock who often move their herds in search of water and grazing).

Though the areas where they graze their cattle and goats are rich in mineral, water and energy resources, full of cultural heritage and untapped tourist attractions, these communities are continually marginalised, affected by drought, flood and conflict. Further, these areas suffer from poor infrastructure, communication and social services as well as degradation of rangelands due to poor environmental protection and management.

Advocacy by PFE has focused on increased recognition of pastoralist issues and incorporation of pastoralist concerns into national policy. Successes include:
- Creation of a Pastoralist Affairs Standing Committee (PASC) within the Ethiopian House of People’s Representatives (their parliament). Composed primarily of MPs from pastoralist areas, PASC serves as a focal point to ensure inclusion of pastoralist concerns in national policy debates.
- National recognition of the annual Ethiopian Pastoralist Day, which now receives support from the Ministry of Federal Affairs.
- Inclusion of pastoralist concerns into official poverty reduction strategies.
is a process they must go through with their own governments. Be a leader, not a follower, in creating a culture of accountability.

On that note, be respectful of the funds you receive. The politicians and aid agencies in donor countries fight very hard to secure the funds you are using – and sometimes abusing. They face criticism from many sides that this money should be used to alleviate poverty in their country, not yours. Do not abuse that trust and confidence. Make sure you have proper procedures that will detect, deter and quickly punish fraud or misuse of funds and equipment. NGO vehicles should not be used to transport crates of beer to your cousin’s wedding. Inevitably, the media will find out, publicise it, and you will have damaged your credibility, your country’s image, and your ability to help those in need with one foolish move.

Credibility, not money, is the currency most valued in politics. Members of your primary beneficiary group – even if they are children or people with mental illness – should have positions on your board of directors. This builds true legitimacy, allowing you to take principled stands. But realise that the moment you enter politics, you will be open to attack. Common questions every NGO activist is asked are ‘Who are you to say this is true for the poor?’ or ‘Why should I believe you?’

Be rooted in your own community. Solicit funds, even if they are just a token – one Ethiopian birr, 1,000 Ugandan shillings, one South African rand – from members of the public. The Ugandan Change Agents Association (see box above) receives 50% of its funds from member dues. NGOs in Western Europe, Canada and the US do not receive money from foreign donors. The bulk of their funding results from significant outreach efforts in their communities, not just from wealthy individuals and corporations but from ordinary people making contributions of $10 or $20 a year. Not only will a membership base open up opportunities other than donor funds for sustainability, but you will be in a far more powerful position to persuade politicians if your organisation has a membership base of 8,000 people (also known as voters) than one foreign donor.

**Working with the media**

The media plays an important role in advocacy. If successful, good media coverage of your issue will persuade political elites and educate the broader public, which creates additional support for your champion. Coverage of political happenings often dominates all media outlets in developing democracies. The very politicians you are trying to influence read, watch, listen, and contribute to the media.

Yet many NGOs dismiss attempts to work with the media, claiming they are corrupt, government-controlled, or uninterested in development, often with no basis in experience for this opinion. In reality, most NGOs only interact with the media when they are facing a scandal or inviting them to serve as validators of their donor-sponsored events.

Instead, civil society groups need to create properly packaged newsworthy events. By itself, hosting a workshop is **not** news. Intuitively, civil society activists know this to be true yet continually limit their media work to such activities. Ask yourself what might make such an event newsworthy? What might the workshop reveal at a deeper level about our country? The participants? Why have these people come together today? If you can answer those questions in a compelling way, you are on your way to creating a newsworthy event. Remember to give reporters the opportunity to ask questions and ensure your spokespersons are properly prepped in advance. And you can write opinion articles yourself and submit them to newspapers, without having to rely on journalists who may not be particularly interested, or unable to reflect your issues accurately.

NGOs actively working in advocacy should host a minimum of four media events a year. Keep track and evaluate press coverage of your own issue and your organisation. Develop relationships with reporters and editors. If a journalist is assigned by an editor, this lowers the chance that a bribe (i.e. reimbursement for ‘transportation’) will be expected. In a recent media training exercise for NGO leaders, editors from both private and government news outlets in Uganda and Ethiopia clearly indicated that such payment would be considered unethical and result in a reporter’s suspension.
Elections count

Finally, strategic civil society activists not only work with parliamentarians in office, they monitor MPs’ job performance throughout their term. Educate your supporters on how their parliamentarians act on the issues that matter to you. Identify two or three issues that are relevant to your advocacy which arose during the session and publicly distribute a report card indicating whether each MP voted in your favour (or at all). Circulate this information to your own beneficiaries and the media well in advance of election day with no partisan rhetoric. Let the votes (or lack thereof) speak for themselves.

On a related note, educate your supporters on the proper role of parliament as a legislative body, not a system of individual patronage. Encourage voters – not just politicians – to behave ethically. People cannot realistically expect a politician to avoid corruption in office when hundreds or thousands of voters demand sugar, flour, corn or money in exchange for a vote, or when people insist that politicians employ their family members, pay for funerals, or contribute financially to their weddings. The high price of society-wide petty corruption is paid by generation after generation.

Conclusion

Being involved in politics does not mean being partisan. Don’t create unnecessary enemies. Focus your efforts on finding a champion. Work together to persuade neutrals rather than waste valuable time attacking staunch opponents. You don’t need everyone to be persuaded, you need the right people. Take the time to lobby parliament effectively, build alliances, consult, research, and build public support for your initiative. And in a consultative process like the APRM, which should be about identifying key problems in your country and diagnosing realistic remedies, NGOs and citizens are going to need all the political support they can muster. Formulate your short-list of key issues, find the best evidence you can to support your arguments, suggest solutions and, most importantly, produce a written position paper or submission. This then becomes a strong tool for influencing MPs and other players in the local APRM process.

Endnotes

4. Ibid.