

## **Capturing the voice of the People through Parliament And Civil Society Organizations: Ensuring Transparency and Integrity in Governance**

By Afamasaga Faamatala Toleafoa  
Member of Parliament, Samoa

I am delighted to have this opportunity to share with you today some thoughts and reflections on our topic which is: " Capturing the voice of the people through Parliament and civil society organizations: ensuring transparency and integrity in governance". Given the constraints of time and the limits of our programme, I should like discuss very briefly the oversight role of Parliament, highlighting as we go along, aspects of our Parliamentary system that impact directly on transparency and integrity in governance. I should also wish to make a few remarks on the role of civil society organizations.

In the Westminster Parliamentary system of government which I believe many of us here have followed, Parliaments role is three fold. Firstly, Parliamentarians are the people's representatives, elected through the electoral process to speak on the people's behalf. Secondly, Parliament is the legislative arm of the state, responsible for the making of laws that govern the nation. And thirdly, and this is the part which shall be the focus of this discussion, Parliament is a pivotal part of democracy's system of checks and balances, providing a countervailing and monitoring function, to ensure compliance with laws and regulations, and integrity, transparency and accountability on the part of Government and governance institutions.

When Parliament fails to effectively perform this monitoring role, experience has shown that the level of accountability and integrity in Government and in public life declines to the detriment of the people.

That Parliament is not always able to effectively carry out this crucial oversight role is due to many factors. For many countries however , the overriding constraint is the complexity of successfully transplanting a system which took hundreds of years to evolve elsewhere, on to another setting where the political, economic, social values and practices are often at odds with those required for a Western styled democracy to function. We know for instance that Parliamentary democracy works best in an environment where the general population is well informed and able and willing to exercise their rights as citizens, and where social forces such as civil society organisations and other democratic institutions such as a free press play an active role in society. These conditions simply cannot be reproduced overnight where they have not existed before.

That said, there is nevertheless a pressing need today for more effective and accountable government. For a start, there is more poverty today than ever before. Meanwhile, people around the world are becoming better informed of what goes on elsewhere and increasingly want better performance from their own governments and public institutions.

### **Integrity of Parliament and Parliamentarians**

For Parliament to be the voice of the people, and to exercise effective leadership in ensuring transparency and integrity in governance, Parliament itself must show integrity and be fully accountable for members entitlements. In short, be a "a pinnacle of shining light of good governance." Regrettably, this is not the perception people have of Parliament and Parliamentarians. This clearly needs to change if Parliamentarians are to be the peoples voice and Parliament the institution of state that ensures good governance and accountability in public life.

For this to happen, Parliament will need to institute and implement for itself adequate and stringent self-regulatory rules and procedures that deal with issues of transparency in Parliament itself, with disclosure of Parliamentarians sources of income, with conflict of interests of members, and with standards of behaviour and ethical standards expected of Parliamentarians and of all public officials.

There is already available a wide range of such legislation and self regulatory rules for Parliamentarians to choose from. Implementing these may not change overnight the poor public perception people have of Parliamentarians, but it will be a start.

As in any walk of life, Parliament as an institution can only be as effective as the people that are elected there. And like any other profession, the quality of persons willing to become members will be largely determined by the level of remuneration and conditions of employment. In many cases, Parliamentarians are grossly underpaid and this is reflected in the standard of members elected, and the quality of Parliamentary performance. Proper remuneration is essential for two important reasons. It will attract a better quality of Parliamentarian. And it provides a degree of financial independence and security for members, an essential buffer against bribery and corruption.

Training, especially for new members should be an essential element of Parliamentary work. It is often said in jest that being a politician is the one occupation that requires no prior training or qualification. Given the critical role of Parliament, Parliamentarians do need to learn about the mechanics of Parliament itself, about the oversight role of Parliament, about the complex machinery of government especially in today's global setting, and perhaps most crucially, about the ethical dimensions of Parliamentary and public life.

As well as training, Parliamentary work also requires appropriate support services and facilities. Parliamentarians need at the very least access to library and research facilities, to working offices, and to professional and expert advice from an informed and politically neutral Parliamentary staff. Many Parliaments have at best, rudimentary support services and facilities for members. In my own country for instance, Parliamentarians are really left to their own devices to deal with constituency work while a library service of sorts provides the only other facility for members.

Networking among Parliaments and among Parliamentarians has proven to be one of the effective means of improving the quality of Parliamentary work. It can lead to regular exchange of people and ideas, facilitates the establishment of a common approach to similar problems, and generally promotes the adoption of best practices and standards. There are already several inter-

Parliamentary organisations and regional and international networks and forums to help raise Parliamentary standards and performance. Regrettably, these are more often regarded as perks or opportunities to travel for members than to promote and improve the quality of Parliamentary work.

As the people's voice, Parliaments independence from government must be safeguarded. This independence would need to be reflected in the way that Parliament and all its subsidiary bodies are funded. Governments can easily suffocate Parliamentary institutions by withholding adequate funding and resources which is why budgetary arrangements must not be contingent on the will of government. Parliaments constitutional independence and position depends very much on the Speaker of the House, who is ultimately responsible as to whether Parliament will be the people's voice and watch dog or whether it will be controlled by the government of the day.

Finally, as the people's representatives, Parliamentarians must determine within themselves to represent the interests of their electors as opposed to that of their party or of some other group. Their primary allegiance must be to the people who elected them. Parliamentarians in the government party inevitably face a conflict between the interests of their party and the people they represent. This conflict must always be resolved in favour of the people if Parliament is ever to be viewed as " a pinnacle of shining light of good governance."

### **Parliamentary Committees and Watch-dog Institutions.**

Government and all public institutions are required by law to report at least once a year to Parliament. The Parliamentary system of Standing and Select Committees allows Parliament to examine these reports in detail to ensure compliance with constitutional provisions, with acts of Parliament and with rules and regulations. The committee system is one of Parliaments most effective means of monitoring Government and is sometimes referred to as "the essence of the Parliamentary system"

In recent years, in response to the changing perception of governments role, committees no longer simply look at historical and post budget reports. The trend now is for Parliamentary committees to examine as well departmental spending plans and programmes before they are approved and implemented, draft legislation and rules, policy documents, and even alternative policies that could be followed. This change gives Parliament a much greater say in determining government policies and departmental plans before they are put into effect. It also allows Parliamentary committees to examine reports by governance institutions not simply for compliance with rules and regulations as before , but also for performance and results and whether the objectives were attained.

To ensure independence and integrity of the Committee System and to resolve potential conflict of interests between members and their parties, it is now accepted as a matter of principle that chairmanship of committees would need to be vested in other than Government members. For similar reasons, the appointment of members of Parliamentary committees is also best left to the Speaker of Parliament to carry out in consultation with the Leader of the House. This is again a new departure from earlier practice in order to minimise the influence of government on the oversight role of committees.

One of Parliaments key committees is The Public Accounts Committee which examines in detail use of public funds in conjunction with the Controller and Chief Auditor, a constitutionally appointed and protected officer of Parliament with special examining powers. The Controller and Chief Auditor is required by law to report to Parliament at least once a year. These audit reports are an essential tool for the Public Accounts Committee and Parliament to determine whether public funds have been used in accordance with the law, as well as their effectiveness. As in the case of Parliaments budget and appointment of staff, the Office of Controller and Chief Auditor must come directly under Parliament to ensure independence from Government.

In recent years, governments have introduced other special appointment such as the Office of The Ombudsman with special powers to examine particular areas of public life to ensure that government services are effective and responsive to peoples needs. These officers report to Parliament and allow members to look at particular aspects of government operations.

All reports that go to Parliament form the basis of debate on the floor of the House, the main forum for examining in public by members[and opposition parties] the performance of government and of all public institutions. In the Parliamentary system, opportunities for examination of government performance by members and the public are also available through the filing of questions for Ministers, through petitions, through private members bills and motions, and by sending delegations to Parliament itself. When fully utilised, these Parliamentary tools and procedures do provide members and the public additional opportunities to question government action and decisions.

As the people's voice, Parliament as an institution is designed to provide the maximum opportunity for the peoples representatives and the public to monitor the workings of government and all governance institutions. The Parliamentary system is in its infancy and still evolving in many places which accounts in part for poor performance and public disenchantment as shown by the generally low opinion people have of Parliamentarians. Ideally, as the system evolves, and social forces become mobilised and more engaged in the democratic process, Parliament as an institution will develop as the peoples voice to ensure transparency and a better level of governance than at present.

### **Parliament and Civil Society Organisations.**

Civil society organisations such as trade unions, professional associations, NGOs and others which form what has become known as civil society is very much a product of industrial society. These organisations have emerged to play a genuinely important part in society and government, representing the interests of a large part of society. Although civil society organisations are still relatively undeveloped in poorer countries, the trend is for these groups to play a larger part in public life in the coming years.

Many aid donors already channel a significant portion of development assistance through civil society organisations and the trend is expected to grow.

Civil society organisations strengthen social forces which provide a balance and counterweight to the powers of the state. With their dynamism, sense of innovation and focus on the grass roots

level, civil society organisations can play a significant part in raising the effectiveness and integrity of public institutions. They can also be effective change agents.

Many civil society groups receive support of one form or another from public funds. It is important in this relationship that this support is not used by governments as a measure of control. Ideally, any public funds that go to civil society groups should be channelled via Parliament or some other independent body. Government in my country gives out money to supplement the budgets of private school. The occasion for giving out these funds is usually turned into a public show of Governments commitment to education and to church. Parliament can be used to disburse all public funds of this nature.

The emergence of civil society organisations is a relatively new development in developing countries. Their growth at present is restricted by low citizen involvement, poor educational standards, and poverty itself. The civil society groups spoken to in my own country see their role at present largely in terms of their particular narrow field. Obviously, a great deal of work needs to be done to explore the possibilities and potential that civil society groups offer. Parliament can play a constructive part in this process.

### **Conclusion**

I have tried in this brief discussion to show that in the Parliamentary system of government that most of us here today have adopted, Parliament, as the peoples voice occupies a crucial place in a carefully constructed system of checks and balances which properly used, will result in better governance and integrity in public life. I have also tried to highlight some of the constraints and weaknesses in this system. Some of these can only be overcome with time. But there are many others that can be resolved with the right measures and as a result of initiatives such as this conference.

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