

Unit 5: Social Accountability – Civil Society and the Media Working With Parliament

Learning Objectives

What can civil society and the media do for parliament?

After studying this unit you should be able to:

- Appreciate how civil society can help parliament perform its accountability function;
- Understand the role that the media plays in aiding the flow of information required to keep decision-making accountable;
- Identify what parliament can do to help the free flow of information.

Introduction

Civil society is the network of organized, self-governing and autonomous organizations operating at the national, regional and international levels. Civil society groups can take the form of trade unions, environmental groups, women's groups, human rights organizations, religious organizations, the media, professional associations and community-based organizations. Unlike parliamentarians, civil society organizations often do not have a direct mandate to speak on behalf of the people whose interests they seek to represent, but rather on behalf of an organizational mission. These organizations are often viewed by the executive and parliament as hostile because they are often critical of government.

Conflict arises between groups because of misunderstandings, ideological differences, ignorance or the lack of credible information on which conclusions are drawn by decision-makers. As such, it is beneficial for parliament to encourage the development of a healthy and robust civil society with which it can establish a dialogue in order to build trust and improve the flow of information between parliament and groups in society so as to overcome any misunderstandings.

Particularly in less developed countries direct engagement between parliamentarians and their constituencies is often hampered by limited financial resources, the distance between the capital and their constituencies, and poor transport and communications. By turning to civil society and the media, parliamentarians can help overcome many of the barriers that would normally inhibit their ability to engage with their constituents.

Civil Society

Civil society organizations represent either specific groups or specific issues and serve as an excellent conduit of information between those groups and the government or as a source of information about the issues on which civil society groups concentrate. The better informed parliamentarians are on the issues, the better they will be able to respond and ensure the actions of parliament contribute to peacebuilding rather than to fuelling cleavages already present in the community. Civil society should act as a reservoir of knowledge on the topics on which parliament deliberates and can be drawn on by parliamentarians to assist them in their role. On the flipside, parliament can use the same channels of communication to explain to the community the reasons behind parliament's action or inaction on certain issues. The community will only be willing to accept the stance taken by parliament on certain issues if they understand the reasons why parliament acted the way it did. The greater the acceptance in the community of the stance adopted by parliament on different issues, the less likely those issues will act as a catalyst for conflict.

In addition to their ability to facilitate information flow, civil society often comprises traditional institutions of authority, for instance, trade unions and professional associations; therefore civil society can contribute to the peacebuilding process by assisting with dialogue and cooperation in inter-community relations. Parliament can seek to enlist the support of institutions of authority in the community to build consensus and contribute to peace-building.

Civil society organizations are usually demand-driven in that they form to represent the interests or provide services to groups within society who have specific interests that are not otherwise being addressed. In this way they help give voice to those

who may not be able to be directly represented in parliament, thereby facilitating greater participation by the populace in governance. For this reason civil society has an important role to play in making society and decision-making more inclusive. However, inclusiveness does not automatically contribute to peacebuilding; parliamentarians should not only recognize that civil society facilitates greater inclusion, but should be responsive to the interests of those groups in the community that are being represented by civil society organizations. If parliament works toward having previously unrepresented groups' interests met there is less of a likelihood that a point of friction will escalate to violent conflict.

It should be noted, though, that the benefits that a robust civil society can bring to the peacebuilding effort is contingent on the existence of a friendly regulatory environment and the free flow of information between parliament and civil society. Complex registration requirements for civil society organizations, complicated taxation systems which are hard to comply with, as well as other unduly harsh regulatory requirements act as disincentives for the formation of new civil society organizations or the continuation of established organizations. Furthermore, complex regulatory environments draw the attention of organizations away from their stated mission in order to focus more attention on compliance with regulatory requirements rather than providing services or representing the interests of specific groups.

Through their legislative and oversight functions parliaments can seek to promote an environment that is conducive to a robust civil society. Parliament can also strengthen the lines of communication between itself and a robust civil society through greater legislative-civil society interaction in the form of public hearings and electorate visits. Parliamentarians should also be more willing to engage with civil society when approached, as civil society is a conduit through which parliamentarians can engage with their constituencies in a way that would not normally be possible, considering the constraints imposed on many parliamentarians in conflict-affected countries due to a lack of resources.

The Media

One segment of civil society that should be singled out for special attention is the media. The media plays a vital role in aiding parliament with its peacebuilding function. In particular, the media can muster public support or opposition to decisions made by parliament by disseminating information about the decisions made, such as the evidence parliamentarians considered when deliberating on issues, such as submissions from the community to parliamentary committees and testimony from representatives of relevant government departments, and the published reasons for the decisions. Furthermore, the media has the ability to act as a social barometer, channeling information to parliamentarians about public perception and opinion on the innumerable number of issues parliament must consider.

In order to facilitate the media's important role in peacebuilding, parliamentarians should seek to create an environment in which the media sector can operate without undue interference. Parliament can assist the media in performing their vital functions by ensuring the availability of governmental and non-governmental information – or more precisely, parliament needs to ensure that the media has access to the information that is required in order to perform their function, as well as the freedom to report and discuss this information. Finally, in order for the media to reach its potential as a peacebuilding actor it needs to be made aware of the importance of its role. Parliamentarians can assist by explaining to the media how it can support parliament in its peacebuilding function or by encouraging greater media training by donors and multilateral development agencies.

Parliaments can help facilitate the free flow of information, particularly by passing right-to-information legislation and putting in place the regulations, procedures and institutions that enable people to access information in a timely and cost-effective manner. The ability to readily access information held by the government helps counter any potential information deficits in the community regarding the issues that parliament is considering. The ability to access pertinent information provides upward pressure on the demand for information, transforming society into a community that is eager to know more. An information-rich society aids parliament in its peacebuilding efforts by helping the public understand the reasons behind laws enacted and policies implemented; especially those laws and regulations that impinge upon the interests of some groups. Greater access to information by the

media and the general public promotes more in-depth analysis and discussions, which similarly aids parliament in explaining the complex reasoning behind sound law and policy making.

The independence and quality of the media impact directly on its ability to fulfill its role as a disseminator of information and as a commentator. A number of factors determine the independence of the media, most notably the:

- Ownership structure of the media;
- Economic structure of the industry, economic conditions and the availability of financing;
- Laws regulating production and access to information, entry into the media industry and content; and
- Policies regarding industries related to the media.

In some countries, State-owned media enjoy a monopoly over the flow of information. In such instances it is imperative that the State-funded media agency does not act as an extension of the ministry of information; rather it should run according to a public service charter that affirms its independence and ensures that it is free from political or economic interference. Furthermore, if the State has a monopoly over the media, then a diverse and responsible media sector should be encouraged.

In order to create an environment that is conducive to the media and to ensure that journalists are meeting their potential as conduits between parliament and the broader community, restrictions on freedom of expression should be lifted. Any remaining restrictions need to be justified by a nation's international obligations stemming from the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, or any other complementary regional declarations and treaties and the interpretation of these obligations by authoritative institutions such as United Nations Human Rights Commission and Inter-American Court of Human Rights.

Conclusion

Conflict often arises between groups because of positions adopted by decision-makers and parliament that are based on misunderstandings, ideological differences, ignorance or the lack of credible information. As such, it is beneficial for parliament to encourage the development of a healthy and robust civil society with which it can establish a dialogue in order to build trust and improve the flow of information between parliament and groups in society so as to overcome any misunderstandings. By turning to civil society and the media, parliamentarians can help overcome many of the barriers that would normally inhibit their ability to engage with their constituents. Furthermore, civil society can act as a reservoir of knowledge and, in turn, parliament can use civil society and the media to explain parliament's actions or inaction on issues to the community. If the public understands the reason parliament acted the way it did there will be greater acceptance of the positions adopted by parliament, making it less likely these issues will act as a catalyst for conflict.

Unit 5 Questions

Please answer each of the following questions. If you are taking this course in a group you may then meet to discuss your answers.

1. In what ways can civil society help parliamentarians engage with their constituents?
2. How can parliament improve legislative-civil society interactions?
3. How can the media help parliamentarians undertake outreach to their constituents?

4.1. What can parliament do to create an environment in which the media can operate without undue interference?

Select Bibliography

Beales, I. 2002. *Imperfect Freedom: The Case for Self-Regulation in the Commonwealth Press*. London: Commonwealth Press Union

Bouchet, N. 2003. "For an Informed Democracy: Report of a CPA Study Group on Parliament and the Media." In Bouchet, N. and N. Kariithi. ed. *Parliament and the Media: Building an Informed Society*. Washington DC: WBI Working Paper No.37228

Commonwealth Parliamentary Association. 2004. *Recommendations for Transparent Government*. Accra: Commonwealth Parliamentary Association

Commonwealth Parliamentary Association, Commonwealth Press Union, Commonwealth Journalists Association and World Bank Institute. 2002. *Cape Town Principles for an Informed Democracy*. Cape Town: Commonwealth Parliamentary Association

European Parliamentarians for Africa. 2001. *Parliaments as an Instrument of Peace*. Amsterdam: AWEPA

Islam, R ed. *The Right to Tell: The Role of Mass Media in Economic Development*. Washington DC: World Bank Institute Development Studies

Kariithi, N. 2003. "Parliament and the Media: Securing and Effective Relationship." In Bouchet, N. and N. Kariithi. ed. *Parliament and the Media: Building an Informed Society*. Washington DC: WBI Working Paper No.37228

Michnik, A and J. Rosen. 1997. "The Media and Democracy: A Dialogue." *Journal of Democracy* 8(4)

O'Brien, M. 2007. "Social Accountability: Citizens, Civil Society and the Media Working With Parliament." In O'Brien, M; F. Stapenhurst and N. Johnston. Eds. *Confronting Conflict: Parliaments as Peacebuilders*. Washington DC: World Bank Institute

Sisk, T. 2001. *Democracy at the Local Level: The International IDEA Handbook on Participation, Representation, Conflict Management and Governance*. Stockholm: International IDEA

