

**Advancing the Mandate of the NCOP in the midst of the Covid-19
Pandemic: Reflections on the challenges and successes towards
realizing the mandate of the NCOP.**

**Address by the Chief Whip of the NCOP, the Honourable Seiso
Mohai to the NCOP Select Committees Business Planning Session
Tuesday, 1 March 2022**

Programme Director;

The Chairperson of the NCOP, the honourable Amos Masondo;

Deputy Chairperson, honourable Sylvia Lucas;

Honourable House Chairperson of Committees and Members Support;

Honourable House Chairperson for Oversight and Intergovernmental
Relations;

Chairpersons of the NCOP Select Committees;

The Acting Secretary of Parliament, Ms Baby Tyawa;

The Secretary of the NCOP Adv Molibeli Phindela;

Executive Managers, Senior Managers and Managers present here;

Fellow colleagues and friends;

Ladies and Gentlemen;

We are converged once again in this auspicious event of the NCOP
Select Committees' Business Planning to take stock of the journey we
traversed over the last year and define the road map for the year, 2022.
As the honourable members would recall, this year marks the Mid Term
of the 6th Democratic Parliament.

This place an immense duty on all branches of government, the legislature, the executive and the judiciary to pause and take stock of the extent to which we have advanced the contract with the people for a better quality of life as articulated in the strategic priorities of the 6th democratic administration.

Programme Director, there is no doubt that this workshop takes place against the background of the debilitating impact of myriad of external factors that continue to threaten the capacity of the democratic state to fulfil the shared and collective aspirations of our people for a better quality of life for all. This also threatens to reverse the democratic gains of our transition since the 1994 democratic breakthrough.

Critical to these external factors are among others; the persistence of the 2007 global economic melt-down that continues to erode the capacity of the national Fiscus to enable the democratic state to respond adequately and meaning fully to the persistence of the triple challenges of poverty, unemployment and inequality.

In the midst of this global economic shock that continues to ravage the global economy, the world experienced the outbreak of the deadly Covid19 pandemic two years back with untold human, social and economic consequences, especially for the vulnerable, the poor and the working class.

Honourable members, as we would know, the outbreak of the deadly Covid-19 pandemic coincided with the persistence of the global crisis of immigration, climate change, food security, and the triple challenges of poverty, unemployment and inequality.

There is broad consensus in the public discourse that the Covid-19 pandemic has laid bare the unequal concentration of resources between the rich countries of the North and the poor countries of the South and widening gap between the rich and poor people.

We must however point out from the onset that, despite the difficulties of operating under the Covid19 pandemic, the transition to the new operating model through the digital platforms was not only successful, but prompt and smooth. We owe this success to the innovation of our administration, their hard work and dedication, which guaranteed no disruption in the workings of the House and its Committees.

In the domestic front, this workshop takes place against the backdrop of the fresh memories about the 2021 July riots that left the destruction of business and public infrastructure in excess of more than 50 Billion Rand, more than 350 people dead, and many breadwinners losing their jobs.

Programme Director, whilst others have sought to use these riots for narrow political gains, there is consensus that at the heart of these riots was an attempt to undermine the democratic state through unconstitutional means.

The outbreak of the 2021 July riots unfolded within the context of the evolving trends in the political landscape of South Africa that threaten the democratic project. At the core of these trends are destruction of property and lawlessness that continue to characterize some protests.

Programme Director, this is the synopsis of the macro socio political context within which our planning and parliamentary oversight should be located. It therefore calls for new ways of doing business that respond these challenges.

Critical among the pertinent questions that should not escape the consideration by participants in this workshop are:

- What impact is our plan going to make in the lives of the people;
- How are we going to measure this impact;
- How are our plans going to foster social compact with array of social forces at play as the architects of the collective future of our people; and
- Finally, are we living true to the vision of an activist people's parliament or has this vision been lost in the whirlwind of empty political rhetoric.

As the saying goes “In every threat there is always an opportunity.” Surely, the increasing activism of our people through mass protests and other forms of democratic engagements with the state represent the single most decisive opportunity for deepening the activist and people's orientation of Parliament.

This activism of our people, located in various communities through different forms of organization expose to parliament as the voice of the people different organized interest groups. This presents an opportunity for the Select Committees to forge partnerships with these interests groups as the basis for leadership and collective action in pursuance of the ideal of a people-centered and driven development.

Chairperson, there is no doubt that as we switch on our televisions the screens are littered with organized voices of our people in various communities across South Africa. We speak here of the voices of:

- The people of Maluti-A-Phofung in the Free State for basic needs for water;

- The people of Soweto for permanent solution to their electricity problems,
- The organized voices against homelessness in Cape Town;
- The organized voices against the water crisis in the Eastern Cape and the lack of scholar transport where learners continue to walk long distances on daily basis to schools.

These are the examples of community activism that transcend political affiliation. It is my submission that the decisive and structured response by our Select Committees to these voices and others that continue to permeate our media constitute the single most supreme test of an activist people's parliament.

Programme Director, it cannot be over emphasized that the NCOP is the only legislative chamber in our constitutional dispensation that is located at the intersection of the three spheres of our system of democratic government as the former President Mbeki once pointed out.

Accordingly, this gives it the possibility to bring the three spheres of our government under one roof to respond to the needs of our people.

The design and adoption of the District Development Model is among the decisive policy interventions by our government to strengthen the integrated co-operative governance, especially in relation to acceleration of service delivery and local economic development. This opens the new opportunities for our Select Committees to understand the district development plans across the country in order to effectively monitor their implementation.

The oversight and monitoring of the District Development Plans cannot be the exclusive domain of the Cooperative Governance and Traditional Affairs Select Committee, but cut across all the Select Committees. For

instance South Africa continue to face the challenge of migration of people from poor towns to affluent towns with debilitating consequences for the planning and provision of social services.

In the recent past, we have witnessed the closure of some schools in some parts of South Africa because of the decline or absence of learner population due to migration. This put undue pressure on the spatial development planning and provision of social services to the receiving towns.

Programme Director, one of the areas that requires improvement in our overall oversight planning is the extent of the alignment of the sector department plans with the National Development Plan – Vision 2030. Parliament has the possibility to give life to this document by constantly scrutinizing the alignment of departmental strategic plans with Vision 2030.

The ravages and tormenting era of the Covid19 that precipitated the new normal has also opened the new possibilities for maximization our Information Communication Technology infrastructure and capabilities beyond the pandemic. Among the benefits of the virtual platforms is the increased participation of the Special Delegates in the business of the NCOP and its Committees.

How the Select Committees will adapt and sustain this best practice beyond the pandemic should be a subject of ongoing strategic reflections by the Select Committees and the Chairperson's Forum.

Chairperson and fellow colleagues, it is worth pointing out that our ongoing Ministerial briefing sessions are not an end but the means to the end in terms of our oversight work. Accordingly, the Select Committees should be identifying and integrating some recurring issues of concern

emanating from these sessions into their strategic priorities for the current year.

Programme Director, we will not be doing justice to this workshop if we don't touch on one of the recurring issues about the NCOP in the public discourse. The question continues to arise in the public policy discourse, namely; whether the NCOP is succeeding to fulfil its core constitutional mandate or is a mere wasteful duplication of the National Assembly and the Provincial Legislatures?

As honourable members may be aware, this fundamental question has permeated much of the studies commissioned by parliament about the efficacy and effectiveness of the NCOP oversight role¹. Although articulated differently, these studies have pointed out to the challenges of competing identities and duplication between the oversight role of the National Assembly and the National Council of Provinces.

Largely influenced by this observation, the 54th ANC national conference resolved, among others that; the NCOP must review its role with a focus on assessing the extent to which it has risen to the challenges of forging co-operative governance. The ANC further makes a point that, in doing this, the NCOP must review how best it can enhance its capacity to integrate the local government and Traditional Leadership in the national policy architecture.

Programme Director, it will therefore be critical that the Select Committees are able, beyond this workshop, to continuously re-engineer their work and modus operandi in the manner that gravitates towards strategic niche excellence and role differentiation of the NCOP.

¹ Christina Murray et al. (1998), Hugh Corder (1999) and The Independent Panel on the Assessment of Parliament (2004) and the Parliamentary Oversight and Accountability Model (2009).

I am raising this question cognizant of its historical, conceptual and practical complexities. Historically, we must concede that the transition from the Senate towards the NCOP in 1997 was not underscored by a structured change management strategy. In part, this has given rise to name change only from the Senate to the NCOP, without fundamental re-engineering of the business processes, organisational and strategic architecture of the NCOP in line with the fundamental vision of the Constitution.

Among the critical conceptual questions we must honestly revisit is the meaning and application of the key conceptual categories of the Constitution within the specific context of the core mandate of the NCOP. Key among this are two interrelated construct of “provinces and provincial interests.”

We must critically re-examine whether the concept “Provinces and Provincial interests” as articulated in the Constitution means the provincial government, provincial communities or both? The shared perspective on this fundamental question will go a long way in the renewal and repositioning of the NCOP.

In practical terms, we must then assess the efficacy, effectiveness and relevance of our methodologies and approaches in giving effect to the core constitutional mandate of representing the provinces in the national sphere of government.

Honourable members will certainly agree that at the heart of organisational transformation and development lies the continuous process of critical reflections, learning and unlearning. Without this, no organization is guaranteed the future.

As the engine room and life blood of the National Council of Provinces, our Select Committees are appropriately positioned at the cutting edge of innovation that constitutes a critical repository of knowledge fundamental for organisational change and transformation. It is in our Select Committees where knowledge is applied, tested and its efficacy validated.

Programme Director, having said this, allow me to thank the House Chairpersons for their invitation to share collective experiences and insights on how best to strategically reposition this august House for the battles.

Let me conclude by wishing you the best in your deliberations and I thank you.
