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MODULE 2: THE ROLE OF POLICY

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How you can influence gun laws

In this module, we focus on how you can lobby to influence policy and government's decision-making processes to strengthen South Africa's gun law.

Parliament and public participation

Parliament is the legislative authority of South Africa, and makes the laws that govern our country. It consists of two houses. The National Assembly has 400 Members of Parliament (MPs) representing the different political parties in proportion to the number of people who voted for them. The National Council of Provinces (NCOP) has members from each of the nine provinces to ensure that provincial interests are represented in the national sphere of government. Both the National Assembly and NCOP consist of different Committees to streamline work e.g. gun control falls under the Portfolio Committee of Police in the National Assembly.

"PARLIAMENT MAKES THE LAWS THAT GOVERN OUR COUNTRY"

Parliament has three main functions:

- 1. Make or change laws in accordance with the Constitution.
- Ensure service delivery by overseeing or monitoring government's actions and spending.
- 3. Facilitate public participation and involvement in law-making.

DID YOU KNOW?



The Constitution says a Parliamentary Committee meeting may not be closed to the public "unless it is reasonable and justifiable to do so in an open and democratic society".

What is public participation?

This is when members of the public get the opportunity to give their views to government on any matter that affects their lives. You can influence the way government makes laws.

Members of the public include South African citizens, civil society organisations, interest groups, business, trade unions and academic institutions. You have the power to make a difference!

"YOU HAVE THE POWER TO MAKE A DIFFERENCE!"

What is an active citizen?

Being an active citizen means you are interested in improving the lives of others, questioning the way things are done and taking action to make a difference. A healthy democracy depends on active and informed citizens.

What is advocacy?

Advocacy is the ability to change things at different levels — from the personal to the political — and from the local to the national level. Advocacy can take on many forms and mainly involves building support for your cause. This can include talking to the media, grassroots mobilisation, networking, coalition-building and lobbying (persuading) policy makers to change laws and policies.

"BEING AN
ACTIVE CITIZEN
MEANS YOU ARE
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OTHERS"

How laws are made

Understanding how laws are made can help you get involved in influencing the law-making process.



THE LAW-MAKING PROCESS 1. SOCIETY Civil society can help **IDENTIFYING THE PROBLEM** identify the problem 2. EXECUTIVE FORMULATING THE POLICY **GREEN PAPER** Key moment for WHITE PAPER lobbying/influencing **DRAFTING THE BILL** the process **TABLING THE BILL** 3. LEGISLATIVE PARLIAMENTARY PORTFOLIO Lobby **COMMITTEE MEETINGS** Written submission PUBLISHING THE BILL **Oral presentation PUBLIC HEARINGS** Lobby **COMMITTEE DELIBERATIONS** Monitor **NATIONAL ASSEMBLY DEBATE** NATIONAL COUNCIL **Monitor** OF PROVINCES (NCOP) 4. EXECUTIVE **ACT Monitor**

ADVOCACY IN ACTION



HOW CIVIL SOCIETY WON THE BATTLE FOR STRICT GUN CONTROL

South Africans worked tirelessly to ensure that the Firearms Control Act contained clauses that would reduce access to guns and prevent gun violence. Opposing this were many pro-gun organisations like gun dealers' associations, gun manufacturers, gun owners, hunters and pro-gun lobby groups.

The Gun Control Alliance (GCA) was the driving force behind the push for stricter gun control. It consisted of 450 members including business, health, human rights, religious, women and youth organisations.

The motto 'one message many voices' was the foundation of the GCA. The Gun Control Charter, a list of minimum demands to be included in South Africa's new gun law, helped guide the 'one message'. Once the Charter was finalised, it was publicised — in newspaper articles and radio shows, in pamphlets and at meetings — for endorsement. In this way many different voices were raised in support of stricter gun control.

When the Firearms Control Bill was published for comment, members of the GCA made written submissions in which they described their solutions to gun violence. While the Gun Control Charter helped guide submissions, often these solutions went much further e.g. calling for the age limit for gun ownership to be raised from 16 to 25 years, while the Charter called for 18 years.

WHAT IS A SUBMISSION?

Making a submission is a powerful opportunity for you or any other member of the public to propose changes on any matter being considered by Parliament.

- ✓ It is the presentation of views or opinions on legislation under consideration.
- It can be presented in any language.
- It is usually in written form, but can be presented in the form of an oral submission at a public hearing.

The more submissions that are sent, the greater the chance of influencing legislation.

HOW TO WRITE A SUBMISSION

Introduction

- Are you presenting your own views in this submission? If so, what is your name and contact details? Very briefly (in one or two sentences) describe what you do. Describe why you are interested in making a submission on the Bill.
- If you are presenting your organisation's view, what is the name and contact details of your organisation? Very briefly (in one or two sentences) describe what your organisation does. How many members does your organisation have, or what constituency does it serve? Describe why your organisation is interested in making a submission on the Bill.

Overview

Overall, do you think that the Bill is necessary and important? Do you support the Bill or oppose it?

Detailed Comments

- Are there specific comments you want to make?
- Do you very strongly support specific sections of the Bill?
- Or strongly oppose specific sections?
- Are there matters which have been left out?

Raise the points that you believe are most important. Give background to the problems you raise and if you refer to a particular section of the Bill, give the number to make reading your submission easy.

Request to address public hearings

If you or your organisations would like to give oral testimony during the public hearings on the Bill, request this in a cover letter that accompanies your submission. The letter should have the details of a contact person.

Closure

Thank the person/committee for considering your submission.

Facts



IN SOUTH AFRICA, YOU HAVE THE POWER TO MAKE YOUR VOICE HEARD!



ANYBODY OVER THE AGE OF 18 CAN PARTICIPATE INDIRECTLY IN PARLIAMENT SIMPLY BY VOTING IN THE ELECTIONS.





THE WORD
"PARLIAMENT"
COMES FROM THE
FRENCH WORD
"PARLER", WHICH
MEANS
"TO SPEAK".





The BILL OF RIGHTS guarantees the right to assemble, demonstrate, picket and present petitions as long as this is done in a peaceful way and protestors are unarmed.



PUBLIC PARTICIPATION MAKES UP ONE THIRD OF THE KEY FUNCTIONS OF PARLIAMENT. THE OTHER TWO ARE OVERSIGHT AND PASSING LEGISLATION. Democracy is not an event that occurred in 1994. It is a process to which all of us can contribute by making our voices heard in Parliament, in the provincial legislatures and in broader society.



Although ordinary citizens may not submit bills to Parliament, they may lobby MPs or Committees to introduce legislation that deals with their concerns.

LOBBY MEANS TO PERSUADE

Myths

Myth: Ordinary citizens cannot influence the decisions made in Parliament.

Fact: You are empowered by the South African Constitution to make your voice heard through public participation.

× Myth: You need to speak English in Parliament.

Fact: You can choose any of the 11 official languages to communicate in Parliament.

× Myth: Payment is required to access Parliament.

Fact: Parliament does not require a fee in order to enter the building.

Myth: You must have an academic qualification and be educated if you want to speak to MPs.

Fact: Your background does not matter when it comes to participating and contributing to Parliament.

"MAKE YOUR VOICE HEARD THROUGH PUBLIC PARTICIPATION"



Take action

There are a number of ways you can become an active citizen and engage with the making of laws:

- ✓ Vote If you are over 18, you can participate in Parliament by simply voting in the elections for a political party that has policies you want to support.
- Keep yourself informed You can stay tuned in to what is happening in Parliament by following the parliamentary radio broadcasts, television broadcasts, business and educational publications, newsletters, and social media, including Facebook, Twitter and YouTube. The Parliamentary Monitoring Group (www.pmg.org.za) is another good source of information.
- Take part Look out for public participation activities such as the People's Assembly (www.pa.org.za), the Taking Parliament to the People programme (www.parliament.gov.za), the Women's Parliament and the Youth Parliament, as well as public hearings and outreach programmes.
- Be vocal Make submissions, representations and/or petition Parliament. Contact MPs if you want to make sure that the law works in the best interest of you and your community.

"IF YOU ARE OVER 18, YOU HAVE THE POWER TO VOTE AND MAKE A DIFFERENCE"





Notes			