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# A NEW CONSTITUTION FOR A NEW SOUTH AFRICA

## EVALUATING THE PUBLIC PARTICIPATION, MEDIA, EDUCATION AND PLAIN LANGUAGE CAMPAIGNS OF THE CONSTITUTIONAL ASSEMBLY

Report prepared for the Constitutional Assembly  
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## **EXECUTIVE SUMMARY**

### **EVALUATING THE CONSTITUTIONAL ASSEMBLY: NATIONAL SURVEY RESULTS**

#### **INTRODUCTION**

C A S E, the Community Agency for Social Enquiry, was commissioned by the Constitutional Assembly (CA) to undertake an evaluation of the CA's media, public participation and education campaigns, in 1995. In 1996, C A S E was requested to undertake the second, larger phase of the evaluation. This covered evaluating the plain language initiative, the public participation and media campaigns, and the internal context of the CA itself. The full evaluation included the following:

- a limited internal evaluation of the internal administration of the CA to understand the context within which the campaigns were undertaken;
- interviews with Constitutional drafters to set the background and context for assessing the plain language initiative;
- 9 focus groups among 'ordinary citizens' (though with Std. 8 or higher education), one in each province, to test the plain language initiative (undertaken by Roots Research);
- interactive workshops with likely users of the Constitution (legal professionals, service professionals, civil servants and so on) to test the plain language initiative (undertaken by the Centre for Adult Education at the University of Natal, Pietermaritzburg);
- participant observation and exit polls to evaluate the effectiveness of the local Constitutional Education meetings organised by the CA;
- re-analysing existing CA data dealing with the outreach of their public participation campaign;
- a national sample survey of 3800 respondents aged 18 and above.

Each component of the evaluation has either reported already, or is in draft form for discussion and amendment by the CA. This document comprises a brief executive summary of the results of the national sample survey of 3800 respondents. The survey data had only been available for a week at the time of writing. A detailed survey report, with far greater detail, will be issued in due course.



## METHODOLOGY

A draft questionnaire was designed by C A S E, in close consultation with members of the Constitutional Assembly, which was piloted (i.e. tested in successive draft stages) on a number of randomly recruited members of the public in Johannesburg. The recruitment criteria comprised age (18 or over), citizenship, different races, various education levels and potential exposure to CA advertising via access to different mediums. Piloting was conducted at the offices of C A S E and Research Surveys (Pty) Ltd. Piloting took place in order to ensure the questionnaire was appropriately phrased, and that it was running within our time constraint of 40 minutes. After some slight modifications, a final questionnaire was produced which went into field in mid-February 1996. The fieldwork was carried out by Research Surveys (Pty) Ltd. All analysis was undertaken by C A S E.

### *The sample*

A total of 3 801 South Africans were interviewed in face-to-face discussions in the respondent's home and in their choice of language. The survey was based on a random household sample. Respondents had to have turned 18 on or before February 1996 and they had to be South African citizens or permanent residents in the country.

The survey is nationally representative in that it covered all race groups, all provinces of South Africa, and all areas - large metropolitan cities, smaller urban centres, rural areas (farm-workers as well as homesteads and farms), and informal settlements in both metropolitan and urban areas. Within each selected area, interviewers were assigned a random starting point, with four interviews per starting point. Once the household had been chosen (every fifth dwelling was visited), the interviewer identified whether or not potential interviewees lived in the household. If there was more than one person who satisfied the criteria, the "birthday rule" was used to randomly select the respondent. Having found an appropriate respondent to interview, if such a person was present at the household visited, then s/he would be interviewed. If s/he was not at home, two call-backs would be done to find this person. If still unsuccessful, a substitute household would be visited.

Check-backs to ensure the quality of the work done by the interviewers were conducted by Research Surveys. Time constraints stopped C A S E from carrying out independent check-backs, which we normally assume to do. The check-back rate was 28% overall, 29% for Africans, 28% for coloureds, 23% for Indians, and 26% for whites. The data collected from the questionnaires were then captured on computer, and weighted to the population of South African adults, according to certain demographic criteria, such as race, gender, area, dwelling, age, and



province of residence. In this way, the results from the survey accurately reflect the opinions and feelings of the population covered in the survey.

### Limitations

Methodologically, surveys do not elicit nuanced information. Responses are placed in categories for quantification and analysis, and this can lead to a loss of the detail and texture which exist in different peoples' responses. We have tried to limit this through our concurrent use of other methodologies, and through the strategic use of open-ended questions (see more detail below).

A household survey has additional limitations in that homeless people, for example, are not included in the sample frame. The following table sets out the demographic profile of the survey respondents.

<b>Gender</b>	Male	50%	
	Female	50%	
<b>Highest level of education</b>	No formal education	7%	
	Primary	21%	
	Jnr. secondary	31%	
	Snr. secondary	30%	
	Tertiary	10%	
<b>Age</b>	18 - 24 yrs	21%	
	25 - 34 yrs	28%	
	35 - 44 yrs	22%	
	45 - 54 yrs	13%	
	55 - 64 yrs	8%	
	65 + yrs	8%	
<b>Area &amp; dwelling</b>	Metropolitan	formal	35%
		backyards	6%
		informal	6%
		hostels	1%
	Small urban	total	48%
		formal	19%
		informal	2%
	Rural	total	21%
		farmworkers	4%
farmsteads		27%	
<b>Province</b>	total	31%	
	Gauteng	26%	
	North-west	8%	
	Northern Province	9%	
	Mpumalanga	6%	
	Free State	6%	
	Northern Cape	2%	
	Western Cape	10%	
	Eastern Cape	14%	
KwaZulu / Natal	19%		



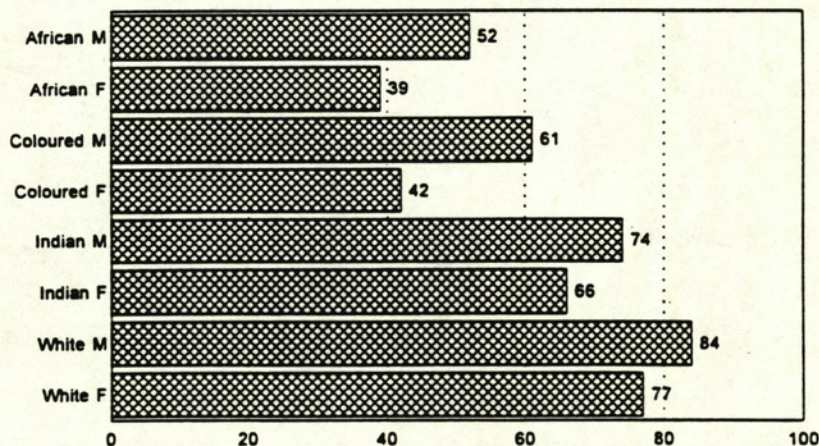
## THE RESULTS

The process of negotiating the final Constitution for South Africa has, naturally, been an arena of political contestation. Debates and disputes over a range of clauses - and even over the process itself - have raged, with more or less intensity, since the Constitution-writing process began. Moreover, the general political terrain has also been congested, with the Masakhane and RDP media campaigns competing for media space and attention, alongside the electioneering and voter education which accompanied South Africa's first democratic local elections in November 1995. In this context, the CA had a considerable struggle on its hands to develop an understanding of its identity and function in the minds of South Africans. However, the CA went further than that: the public were invited to take a direct role in the constitution-writing process by submitting ideas or demands for inclusion through a range of access points. This was a tall order.

### *Knowledge of the CA and its functions*

Despite the considerable competition for the political attention of South Africans, just under two-thirds (60%) of all respondents have heard of the Constitutional Assembly - roughly equivalent to some 15,2 million adults. Those who have not heard of the CA are mainly drawn from disadvantaged sectors of South Africa's population. Where 76% of men have heard of the CA, only 55% of women have done so. Rural dwellers are least likely to have heard of the CA, as are the elderly. These figures in turn reflect patterns of media access - and non-access - in South Africa.

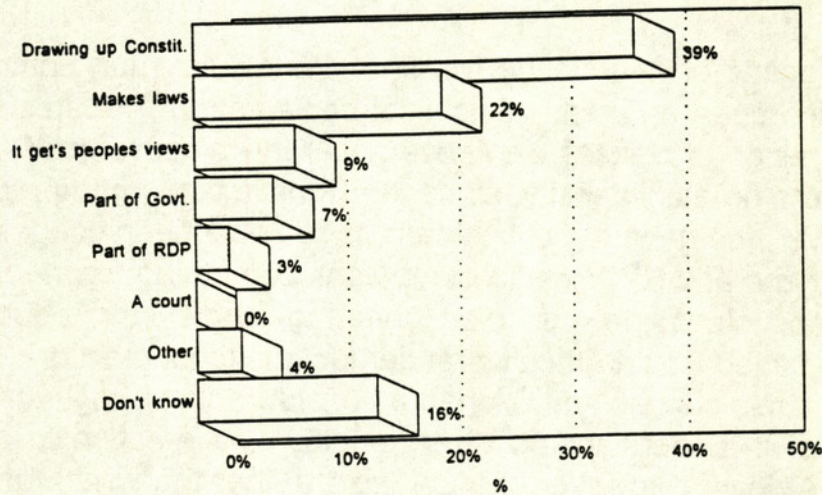
'Have you heard of the Constitutional Assembly?'  
by race and gender  
(spontaneous recall only)



C A S E research for the Constitutional Assembly



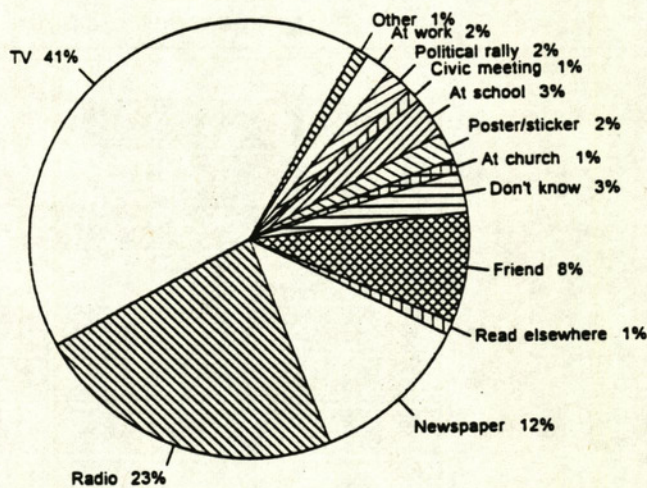
**'What is the CA doing?'**  
(among respondents who had heard of the CA)



C A S E research for the Constitutional Assembly

Most respondents who had heard of the CA, also have a fair idea of its functions. While 16% did not know what the CA does, 39% know it is drawing up the Constitution, while another 9% pointed to it "getting people's views" on key issues. For a fifth of respondents (22%), the CA is regarded as a law-making body: the extent to which this is a correct or incorrect answer (the CA is developing the supreme law of the land, but may also be regarded as part of parliament) would have to be tested in more detail. A tenth of respondents (10%) were incorrect in seeing the CA as part of government (7%) or part of the Reconstruction and Development Programme (RDP) (3%). This is an extremely positive result for the CA.

**'How did you first hear about the Constitutional Assembly?'**  
(among those who had heard of the CA)



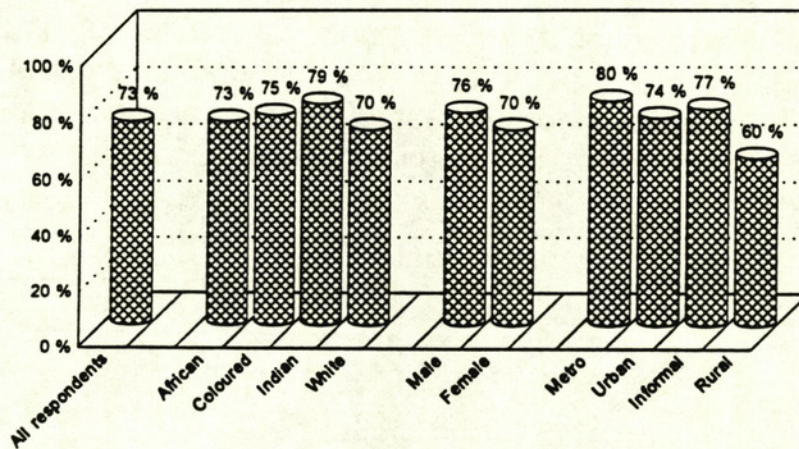
C A S E research for the Constitutional Assembly



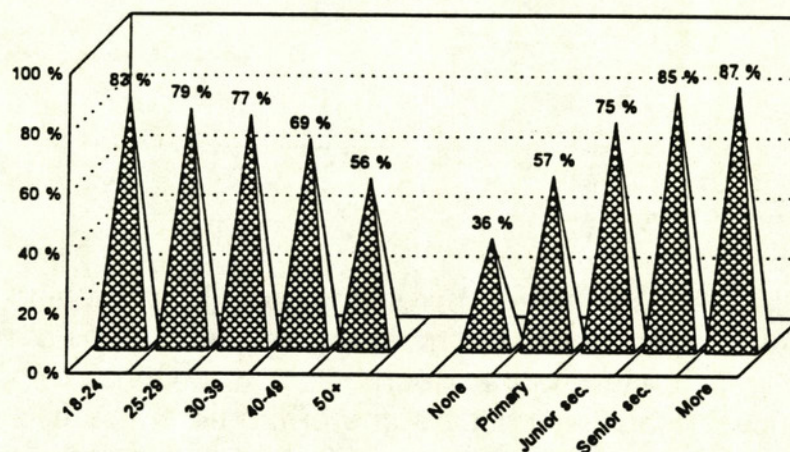
Equally important is the fact that while three-quarters (76%) of respondents first heard of the CA via mainstream media, 12% were first informed of it by word-of-mouth (from a friend, at work, at school and so on). This suggests that the CA campaign has been able to achieve one of the key goals of a social education media campaign, namely to generate interpersonal communication, and enter popular discourse. An additional 4% heard about the CA from political rallies, or civic or church meetings.

### THE MEDIA CAMPAIGN

Hit-rates of the CA media campaign\*  
overall and by race, sex and area



Hit-rates of the CA media campaign\*  
by age and education



\* Includes: TV and radio programmes and adverts; print adverts; Mandela poster; CA logo; Const. Talk  
C A S E research for the Constitutional Assembly

The Constitutional Assembly media campaign - mainstream and below-the-line - succeeded in reaching a massive 73% of all adult South

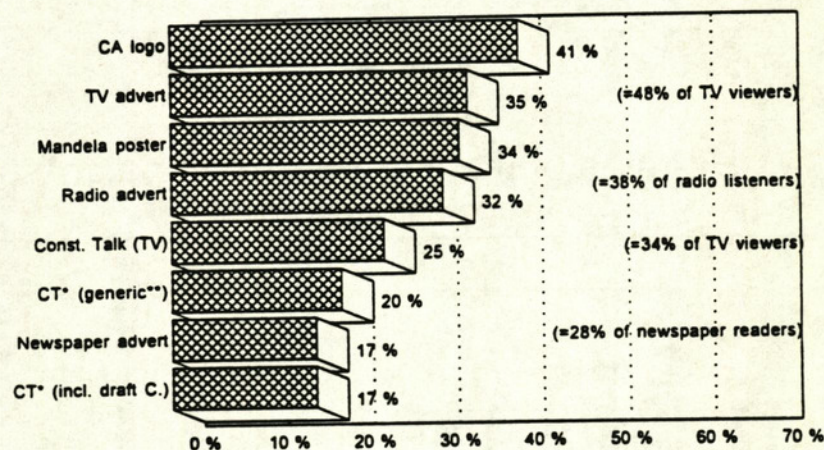


Africans, equivalent to some 18;5 million people. The actual figure can safely be assumed to be higher, since media access increases disproportionate to age, and our sample included only those aged 18 and above.

These figures reflect rates of exposure to TV advertisements and Constitutional Talk (the TV version), to radio advertisements, to newspaper advertisements, to the Constitutional Talk tabloid, the Mandela Talk-Line poster, as well as the CA logo. Respondents could have been exposed to one or more components of the campaign.

It is encouraging to see that differences between race groups, the sexes and residential areas are not large, except in the case of rural respondents, and even then 60% were exposed to the CA campaign. This is partly related to the widespread absence of electricity or other power sources in rural homes and consequent lower TV viewing than elsewhere. It also reflects the very poor distribution of and access to newspapers in the rural areas. The gender differential was 6%, reflecting the unequal media access of women, as well as the on-going gender differences which run through our evaluation.

#### Hit-rates of the CA media campaign (individual items)



\* CT=Constitutional Talk tabloid newspaper  
 \*\* we showed respondents an example of CT  
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If we look at the component parts of the media campaign, we see that the TV advertisement was the most successful in terms of reach. Almost half (48%) of TV viewers had seen this advert. Considering that 73% of adult South Africans watch TV some of the time, this is a considerable achievement for the CA. (If we recalculate within the population as a whole - not just within TV viewers - 35% of the adult population had seen this advert.)

People from different demographic backgrounds did not have an equal chance of having been exposed to the TV advert. This becomes clear when we look at who watches TV. Generally, Africans, informal



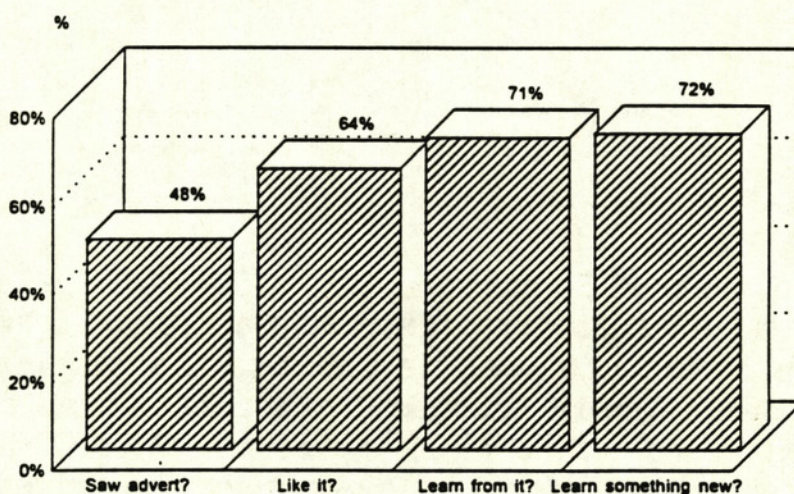
and rural dwellers, older people and lower-educated respondents are able to watch TV far less frequently than other groups. For example, 46% of Africans seldom or never watch TV, compared with 22% of coloureds, 15% of Indians and 16% of whites. Similarly, 54% of informal dwellers and 63% of people in rural areas seldom or never watch TV, compared with only 29% of people in formal urban and 28% in formal metropolitan areas. Similar patterns of disadvantage exist for the elderly, and for those with no formal education (77% of whom seldom or never watch TV) or with primary level only (63%). This obviously impacts negatively on their awareness of the CA and the new Constitution; it is also one of the reasons for the face-to-face education and participation campaign.

Before asking TV viewers if they had seen the TV advert, we asked them if they had seen anything at all on TV to do with the new Constitution or with the CA. Just less than half (49%) answered 'yes'. The most glaring differences were between men (55%) and women (42%); and the contrast between those with no formal education (14%) and post-matric-educated people (67%). In addition, respondents in metro (52%) and urban (51%) areas were much more likely to have seen something on TV than informal (37%) and rural (38%) TV viewers.

These stark differences became slightly less apparent when we specifically asked about the TV advert, although rural dwellers remained worryingly low with an exposure rate of 39%, while even more clear was the poor position of those with no formal education, only 18% of whom had seen it, compared with 62% of those with post-matric education.

### *Appreciation of and educational role of the TV materials*

Exposure and response to TV advert for draft constitution  
(among TV viewers)



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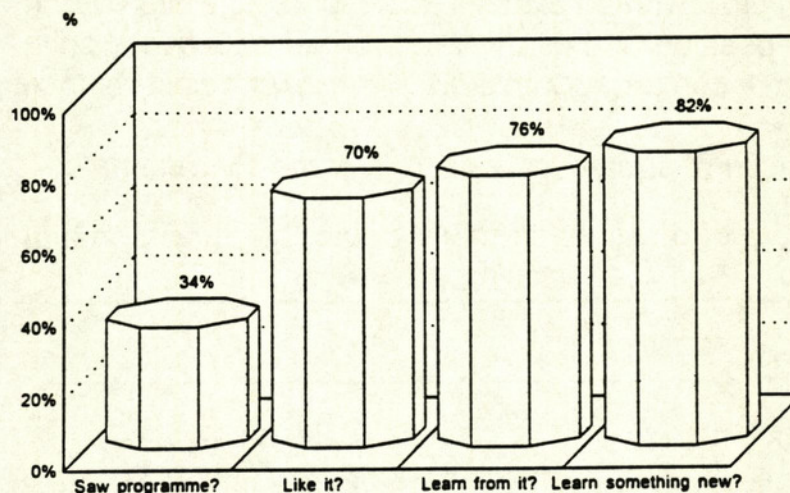
Most of those who had seen the TV advert either liked it (64%) or thought that it was "OK" (28%). Respondents who disliked it were more likely to be white (24%) or over 50 years of age (20%); in total, only 8% disliked it.

In total, 71% of those who had seen the advert learned something from it, and of those, 72% said that they learned something new. Once again, negative responses to these questions came mainly from whites (62%) and respondents aged 50+ (43%).

*Constitutional Talk (TV version)*

One of the media items we tested was a programme on TV called "Constitutional Talk", which has a panel of experts discussing key issues. A third (34%) of TV viewers recalled having seen it. 19% more Africans (39%) than whites (20%), and 10% more men (39%) than women (29%) had seen part of the series. There was little difference across different areas, interestingly, but the patterns of disadvantage already established among TV viewers emerged again with older and less educated TV viewers were much less likely to have seen this programme.

Exposure and response to Constitutional Talk (TV version)  
(among TV viewers)

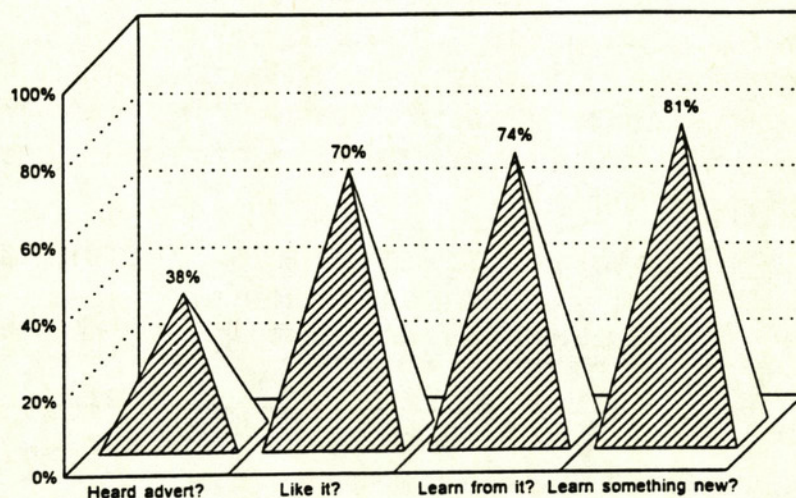


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Of those who had seen Constitutional Talk on TV, 70% liked it, a very positive result for the programme producers and the CA. Within this overall figure there are considerable differences: for example, only a third (33%) of whites liked it. Importantly, rural dwellers liked it the most (85%) and urban and informal dwellers the least (64%). Of those who had seen Constitutional Talk on TV, 76% said that they learned from it (only 38% of whites); of those, fully 82% reported learning something new.



## Exposure and response to radio advert for draft constitution (among radio listeners)



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Importantly, of the 74% who learned something from the advert, 81% said that what they learned was new to them.

### *The Mandela Talk-Line poster*

The Mandela poster was another successful item, reaching 34% of all respondents. It depicts the President, dressed formally outside a private home, holding a cellular phone and saying: "Hello, is that the Constitutional Talk-line? I would like to make my submission". It was distributed via newspapers as an insert, printed on good quality poster paper. More than half (53%) of newspaper readers had seen it. Whites, women, rural dwellers, older people and those with low education were much less likely to have seen it than others. Of those, whites enjoy regular newspaper access, and we can only conclude that recall was affected by their general lack of interest in (and, for some, hostility to) the Constitution-writing process.

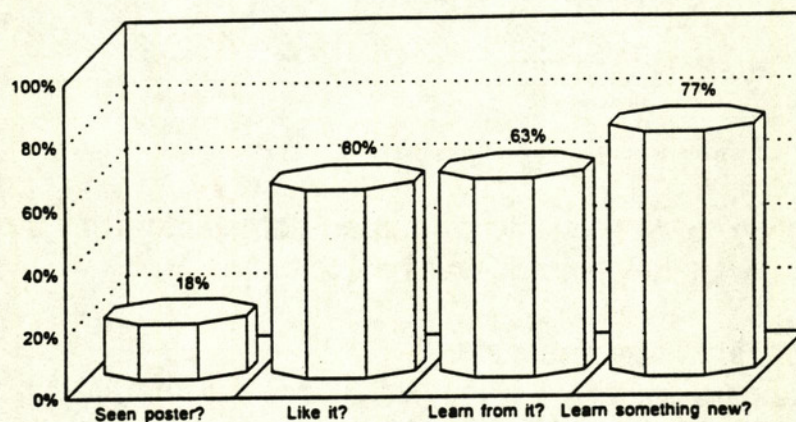
### *Print advertisement*

The newspaper advert did less well than the others, mainly because not many South African read newspapers regularly. 39% of the population never reads them and only 16% read them daily. It is mainly Africans (66%), women (66%), and informal (71%) and rural (75%) dwellers who seldom or never read newspapers. Non-readers are also likely to be older people (60% of 40-49 year-olds and 64% of 50+ year-olds), and poorly educated (all those with no education, 85% of primary-school educated and 59% with Std. 8 seldom or never read newspapers).



Thus only 18% of the whole sample had seen the newspaper advert. Even within newspaper readers, however, the figure of 28% is still low. However, figures increased once we asked if respondents had seen anything in the newspapers about the new Constitution. Almost half (49%) of newspaper readers answered "yes", with more men than women and with more educated people than uneducated ones answering positively.

**Exposure and response to CA print advert**  
(all respondents)  
(these adverts appeared in newspapers and as posters)



C A S E research for the Constitutional Assembly  
The CA has produced a host of posters: we used one and asked if respondents had seen this poster "or one like it".

Of those who had seen the poster/print advertisement, 60% liked it, 63% learned from it, and of the latter, 77% learned something new.

***Constitutional Talk tabloid (generic)***

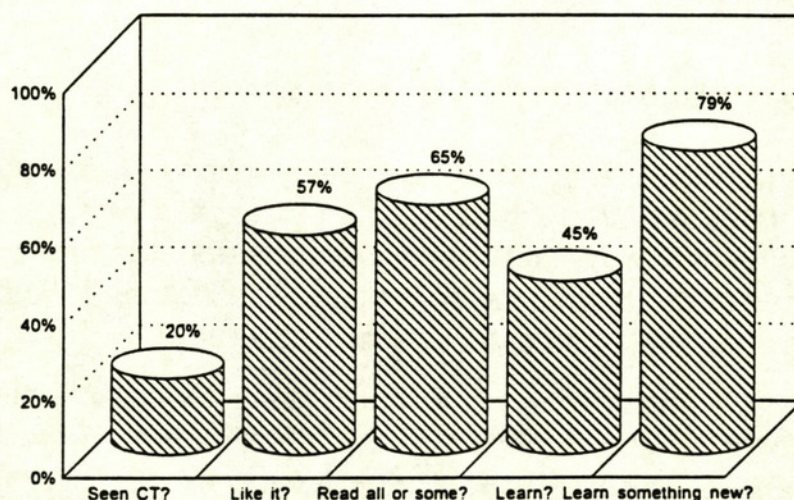
We showed all respondents a copy of the Constitutional Talk tabloid newspaper which included the draft Constitution, but did not open it and asked them if they had ever seen a copy of Constitutional Talk before (which could be the version they were shown, or any other). A fifth (20%) of the sample had seen it, a 5% increase in circulation over the figures from the 1995 survey. More Africans (22%) than other race groups (particularly whites at 13%) had seen it, as well as more men (24%) than women (17%).

Of those who had seen it, overall 60% liked it (true of only 19% of whites). There was an 18% difference between metro (57%) and informal (75%) dwellers who said they liked it. Older and more educated people did not like it.

Almost two-thirds (63%) of those who had seen it learned something from it. Of those who learned from it, 77% said that they learned new things.



Exposure and response to Constitutional Talk (newspaper version)  
(all respondents)



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Almost two-thirds (63%) of those who had seen it learned something from it. Of those who learned from it, 77% said that they learned new things.

*Constitutional Talk edition including draft Constitution*

After answering questions about Constitutional Talk generally, interviewers then gave each respondent a copy of the tabloid (which was left with them at the end of the interview) to look at for a few moments. They were then asked a similar set of questions, pertaining to the specific edition including the draft Constitution. Of those who had seen it, 62% liked it, 77% read all or some of it, 61% learned something, and 81% learned something new. 72% liked the cartoons used in conjunction with the text, and a further three-quarters (75%) liked the mixture of languages. (Cell sizes were too small to establish differences within demographic groupings.)

When looking at the overall penetration of the CA media campaign, we found a 27% difference between the youngest and the oldest age cohorts. While as many as 83% of 18-24 year-olds had heard or seen anything about the new Constitution or the CA, only 56% of 50+ year-old could claim the same. The CA needs to find a way of reaching older people for future advertising campaigns.

It has a similar problem with less educated citizens. As education increases, there is a corresponding increase in exposure to CA materials. The difference in exposure to the CA campaign between tertiary level and those with no formal education was as much as 51%: over a third (36%) of those with no formal education, compared with 87% of post-matric educated respondents, were reached by the CA media campaign. This is a serious concern and the CA needs to explore

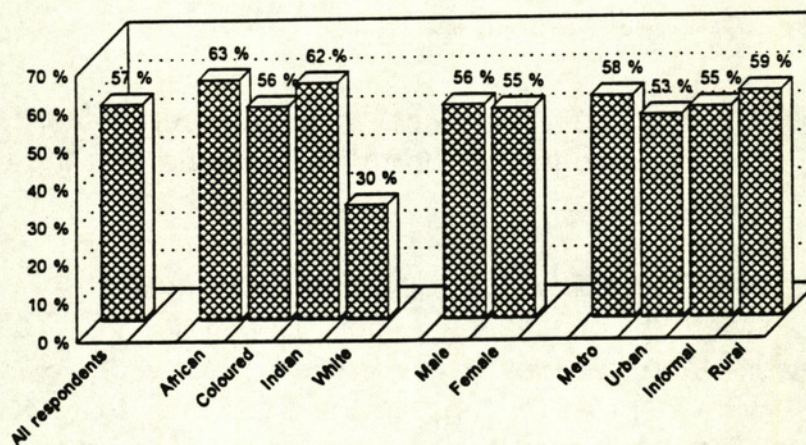


creative ways of overcoming this problem, which was also highlighted in the 1995 C A S E evaluation.

### THE OVERALL IMPACT OF THE CA MEDIA CAMPAIGN

We asked respondents who had been exposed to one or more components of the CA media campaign to assess whether exposure to the campaign had increased their knowledge about the new Constitution or not. The results below are self-reported increases in knowledge; no testing was undertaken to establish their accuracy.

'Did the media teach you anything about the new Constitution?\*' (among respondents exposed to one or more component of the campaign) by race, sex and area



\* Includes: TV and radio programmes and adverts; print adverts; Mandela poster; CA logo; Const. Talk  
 NB: 73% of total sample were reached by CA media campaign  
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In response to the question, over half (57%) said that the campaign had increased their knowledge; over a quarter (28%) said that their knowledge had been increased "a lot".

A notable success here is among rural dwellers, 59% of whom reported that their knowledge had been increased, compared with 53% of those living in small towns, 56% in informal areas and 58% in metropolitan areas. Equally importantly, there were no significant differences between men and women on the issue.

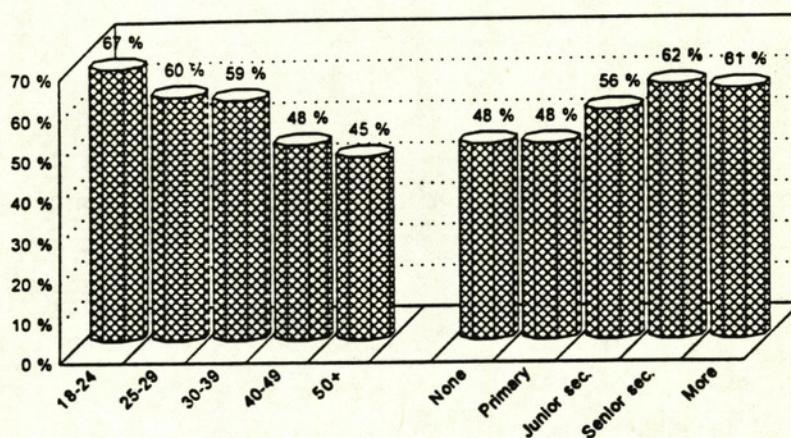
On the negative side, whites (and coloureds to a lesser extent) responded more negatively to this question than Africans and Indians. Previous C A S E research<sup>1</sup> has shown that whites (and coloureds) are

<sup>1</sup> See K. Fenyves and D. Everatt, *Evaluating the SABC voter education campaign for the 1995 Community Elections*, C A S E, 1995; and K. Fenyves, D. Everatt and R. Jennings, *Bringing Democracy Home; Evaluating the SABC's multi-media voter education campaign for the 1995 community elections: quantitative results*, C A S E, 1996



uncertain about the political changes taking place, and this colours their attitude towards any political issue and sets the frame of mind with which any politically-orientated information will be received. The C A S E evaluation of the SABC multi-media voter education campaign for the 1995 community elections, for example, found high levels of hostility to voter education messages, deriving from feelings of insecurity and fear regarding the outcome of the elections themselves. This may explain why the majority of white respondents did not think that the CA media campaign taught them anything.

'Did the media teach you anything about the new Constitution?''\*  
(among respondents exposed to one or more component of the campaign)  
(by age and education)



\* Includes: TV and radio programmes and adverts; print adverts; Mandela poster; CA logo; Const. Talk  
NB: 73% of total sample were reached by CA media campaign  
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We also found that younger people were more likely to have learned something from the CA campaign than their elders. Two-thirds (67%) of 18-24 year-olds said that the materials taught them something, compared to only 45% of people aged 50+, a difference of 22%.

Lower-educated respondents learned less than higher-educated ones, possibly because some of the CA messages were complicated and difficult to conceptualise from brief media inserts, without an educational background, and without face-to-face methods being used. The use of face-to-face methods by the CA is of course a very positive factor in this regard.

## THE PUBLIC PARTICIPATION CAMPAIGN

### *Attendance at local meetings about the Constitution*

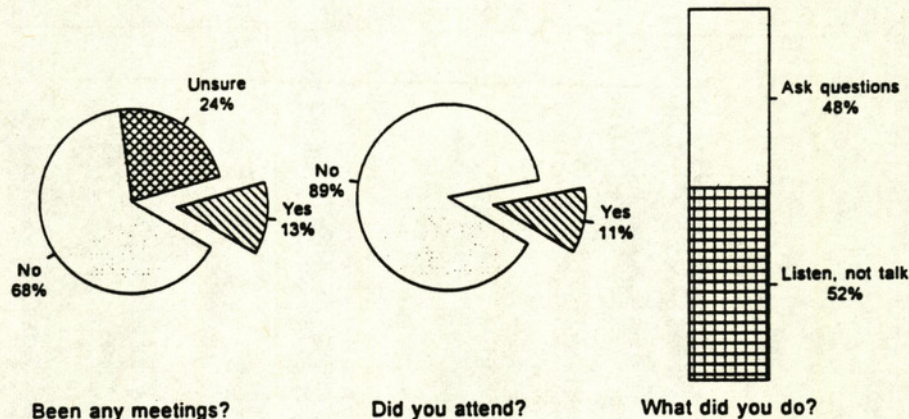
In the context of competing demands for political space and attention, it was not surprising to find that attendance at meetings about the Constitution have fallen away somewhat since the first C A S E evaluation in 1995. There we found that 18% of respondents knew of



meetings in their area dealing with the Constitution, of whom 62% had attended such meetings. A year later, we find that 13% of South Africans - a not inconsiderable number - know of meetings in their area, while a tenth (11%) of these people attended. The survey fieldwork was underway as the final, intensive wave of local meetings was being run by the CA (the latter are evaluated elsewhere) and will only partly be reflected in the results.

### Local meetings re Constitutional Assembly (all respondents)

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"Don't know" is not shown in the graph

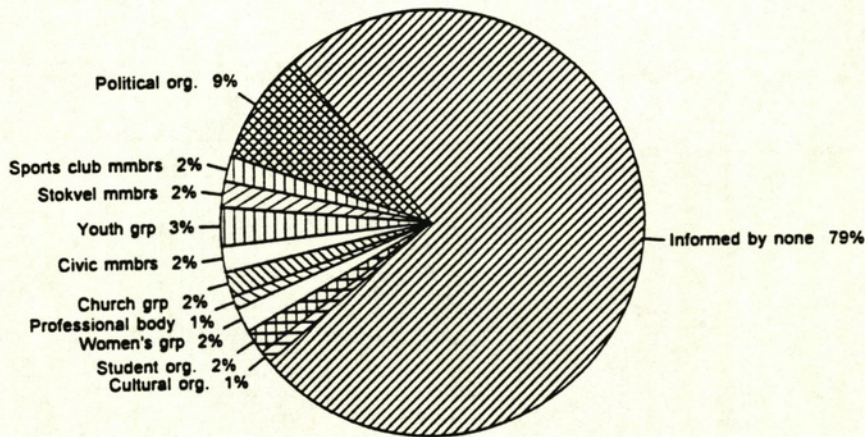
Firstly, the point needs to be made that to give all adult South Africans a one in seven chance of attending a meeting about the Constitution is a not inconsiderable achievement. People living in small towns had the greatest opportunity, with 17% reporting that meetings had taken place, followed by people in informal areas (15%). People living in rural areas had least opportunity at 11%, a figure almost identical to metropolitan dwellers who reported meetings taking place in their areas (12%).

The point needs to be made that when people did attend meetings, almost half (48%) reported that they actively participated by asking questions. The meetings were deliberately designed to try and achieve broader than normal participation in meetings, and seems to have succeeded in this regard.

The local government elections took place in late 1995 (with elections still to occur in KwaZulu-Natal and parts of the Western Cape). The electioneering for these elections will certainly have impacted on the CA campaign, and over the ability of people to determine whether meetings were held to discuss the Constitution or as part of an election campaign. Moreover, with elections having taken place in 1994 and 1995, South Africans may well be suffering 'meeting fatigue'.



**Role of civil society in informing about CA**  
(among those who belong to one or more organisation: 43% of sample)

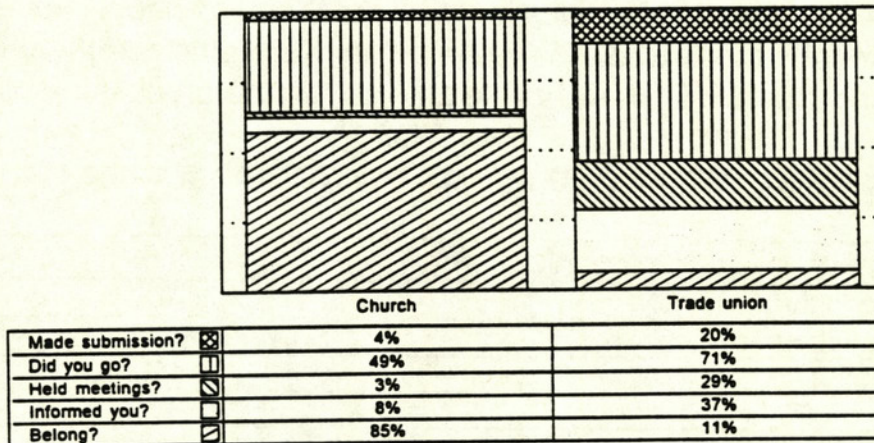


Did your organisation keep you informed about the CA process?

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Moreover, it seems that few organisations in civil society - with the notable exception of the trade union movement - have made a concerted attempt to draw their members into meetings or discussions about the Constitution-writing process. Of respondents who belong to a range of societies, clubs or organisations, fully 79% had not been informed about the CA process by their organisation.

**Membership of key civil society structures**  
and their role in informing members about the CA process  
(all respondents, graphing "Yes" answers only)



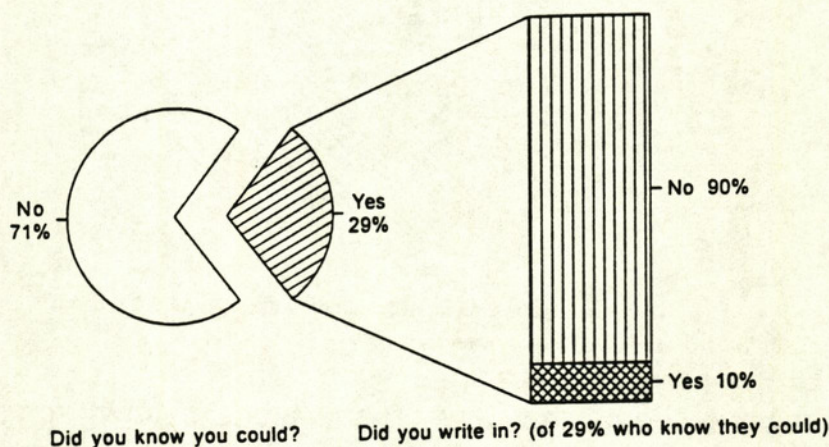
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Of those people who belong to trade unions, 37% had been informed about the Constitution, 29% had had the opportunity of attending meetings on the subject, and almost three-quarters (71%) had done so. 9% of those who belong to a political party had been kept informed about the Constitution, and only 8% of church goers. This suggests that



the civil society partnerships which the CA needed to form for a successful public participation campaign were less effective than they may have been, with limited follow-through by key organisations.

### Knowledge of ability to make written submissions (all respondents)



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Where the CA was in charge of the process itself, however, things look better. Thus, for example, almost a third (29%) of respondents knew that they were able to send in written demands to the Assembly. We asked people to tell us, without any prompting at all, how people can take part in the process of drawing up a new Constitution. The results, set out in the table below, show 'top of the head' or spontaneous responses to the question (the results do *not* show the numbers of people used these means, merely those who recalled that they were available). Over half of all respondents (56%) knew how to take part in the process:

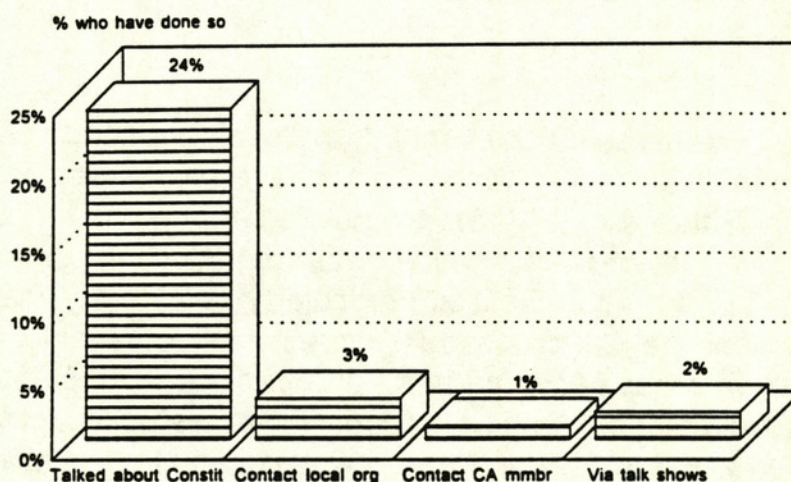
#### HOW CAN PEOPLE TAKE PART IN THE CONSTITUTION-WRITING PROCESS?

Contact your local organisation	18%
Write to the Assembly	19%
Phone the Assembly	11%
Use the Internet	1%
Phone Talk-Line	10%
Raise it with my local organisation	8%
Contact a member of the Assembly	8%
Contact my political representative	9%
Attend a local meeting/workshop	12%
Via local government	9%
Don't know	44%



It is important to note that while only limited numbers of people utilised the different participation mechanisms mentioned in the table, the CA succeeded in generating discussion among South Africans. Early on in the questionnaire, a spontaneous response revealed that a quarter (24%) of all respondents reported that they had discussed the CA and Constitution-related issues with friends or family. Later in the questionnaire, we found that 51% of all those who have read parts of the draft Constitution have discussed it with friends or family. These are additional indicator that the CA campaign has reached a powerful position where the issues it deals with are entering public discourse.

### Involvement in CA process (all respondents)



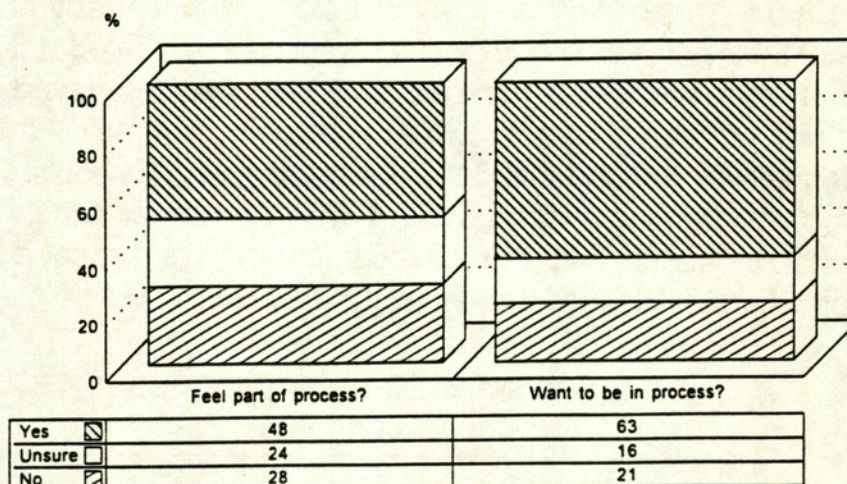
C A S E research for the Constitutional Assembly

#### *Attitudes towards the public participation campaign*

In the contested political and media terrain of the post-liberation period, it would be unsurprising to find that most South Africans were suffering a political saturation and wanted only to be left alone, rather than called on to engage with the difficult notions of constitutionalism, human rights, and the CA process. However, what we found was that just less than half (48%) of all adult South Africans feel part of the CA process, while just over a quarter (28%) do not feel this (the remainder are unsure).



## Attitude to public participation campaign (all respondents)



C A S E research for the Constitutional Assembly

This is a considerable achievement, to develop a sense of ownership or involvement in a process which, as we have seen, is both contested and abstract. In this the CA has maintained the surge of support which attended its launch and which was detected in the first C A S E evaluation in early 1995.<sup>2</sup> It is particularly noteworthy that the positive feeling about the CA process is expressed near evenly across formal metropolitan areas (48%) and formal urban areas (49%), as well as the more disadvantaged areas - informal dwellers from both metropolitan and urban areas (43%) and rural dwellers (46%). Positive feelings dip slightly among the latter two groups, but by small margins.

Less positive, however, is the fact that men are more likely to feel positive (52%) than women (44%). This gender differential stood out clearly in the 1995 C A S E evaluation, and comprised one of the key recommendations made to the CA. Sadly, it re-appears in many areas of the 1996 C A S E evaluation, and has yet to be adequately understood or tackled. In part, it derives from the fact that politics remains 'men's business' in many parts of South Africa, combined with the social, economic and political disadvantages faced by women. It must be recalled that this is reinforced by the biases in media access, which see far fewer women than men able to access mainstream (particularly prime time) media. This serves to reinforce existing forms of gender oppression, and any campaign which relies in part on media - as with the CA campaign - has to develop particular means and strategies to overcome this bias.

<sup>2</sup> See Everatt et al: "Bringing the constitution and the people together: assessing the impact of media campaign of the Constitutional Assembly" (C A S E, May 1995).



noted that "someone else did" and so they did not, and another 4% stated that they could not write well enough to do so.

On a much smaller scale, 1% (25 respondents) reported that they had phoned the Constitutional Assembly (20 of the 25, unsurprisingly, were from metropolitan areas), half of whom (13 respondents) stated that they left a message (presumably containing their submission) on the Talk-Line.

### *Faith in the public participation programme*

#### Faith in the public participation campaign (all respondents)

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- Exactly half of all adult South Africans believe that the CA wants "ordinary people like us" to take part. Only a fifth do not believe this to be the case, while the remainder are uncertain.
- People from informal areas (41%) are least likely to believe that their participation is desired, followed by rural dwellers (47%). Formal dwellers from small towns (53%) and big cities (52%) were far more confident.
- Older people were less convinced that the CA wanted their involvement: only 38% of those aged 50 and above answered positively, compared with 57% of those aged between 18 and 24.
- Belief that participation is genuinely sought by the CA rose with education levels: only 36% of those with no formal education believed that the CA wanted their participation, compared with 42% of those with primary school only, 50% with junior secondary, and 58% of those with senior secondary and with tertiary education.
- In short: mistrust of the call for public participation derived mainly from the disadvantaged sections of South Africa's population.

C A S E research for the Constitutional Assembly

We have already seen that fully half of all adult South Africans believe that the CA genuinely wants them to participate in the Constitution-writing process. We asked all respondents whether they believed that the Assembly would treat their submission seriously, were they to send them in. Responses were slightly less positive to this question, with only 41% of respondents believing that their submissions would be seriously regarded.

Intriguingly, rural dwellers (at 43%) are most likely to believe their submissions would be treated seriously, compared with 42% of urban dwellers, 40% of metropolitan dwellers and only 39% of those in informal areas. The highest level of scepticism came from whites, of whom only 16% believed their submission would be seriously treated, compared with 21% of Indians, 29% of Coloureds and 48% of African respondents. This suggests that the antagonism towards the CA process on the part of whites, detected in the first C A S E evaluation, remains in place.



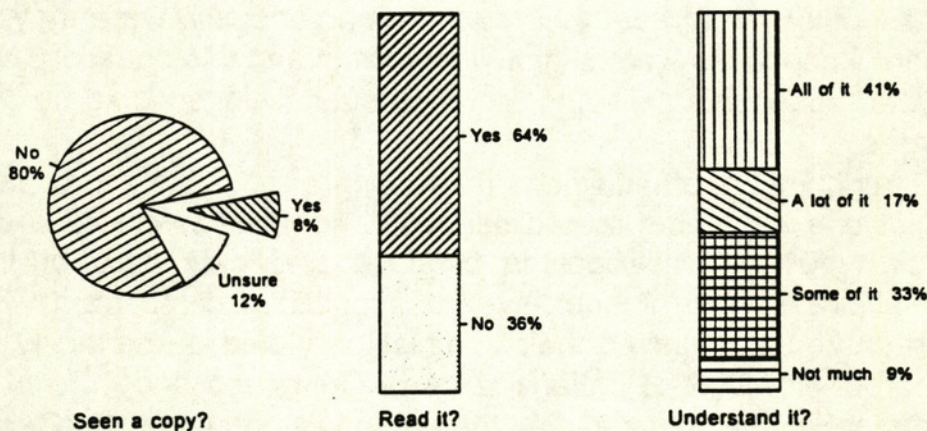
### *Should the public be consulted about the new Constitution?*

While some degree of scepticism seems to exist as to whether the Constitutional Assembly would treat individual submissions seriously, which contrasts with greater faith in the CA's call for public participation, it seems quite clear that the CA is doing what people want: namely, consulting ordinary people about the new Constitution. Fully 83% of respondents stated that the Assembly should be consulting the public about the Constitution. There was little difference across race, gender or age cohorts in supporting the CA process. In short, regardless of whether individuals feel that their own submissions would be treated seriously if they sent them in or not, the overwhelming majority believe that the Assembly is right in consulting the public. In this, the CA may well be setting a precedent - not merely in consultation but in the deliberate attempt to reach marginalised communities - which government departments will have to try and match in future.

### **EXPOSURE TO THE DRAFT CONSTITUTION**

The C A S E survey was in field a couple of months after the draft Constitution had been released, and found that already 8% of South African adults - some 2 million people - had seen the document, while 5% of the sample - some 1,3 million people - have read some or all of the Constitution. This is most likely to be the tabloid version issued by the CA, but includes other versions as well.

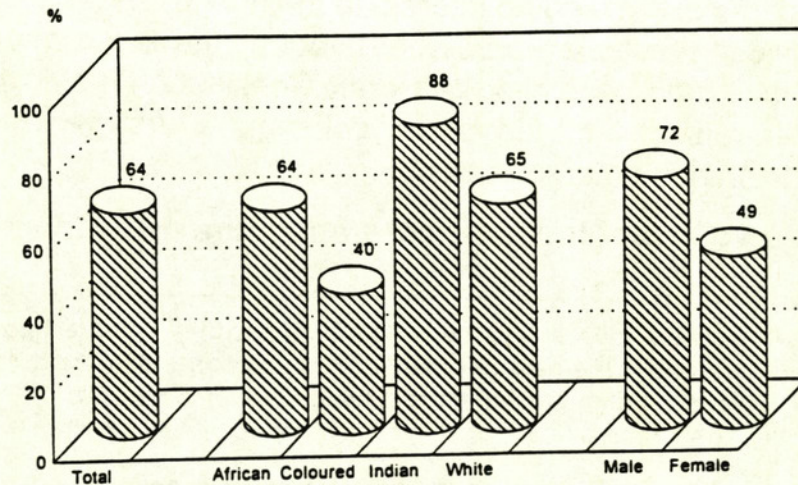
### Exposure to draft constitution (all respondents)



C A S E research for the Constitutional Assembly



**'Have you read the draft constitution?'  
(among the 8% of respondents who had seen it)**



C A S E research for the Constitutional Assembly

**Exposure to the draft constitution**

- ▶ 8% of all adults aged 18 and above have seen a copy of the draft constitution. This is roughly equivalent to some 2 million people.
- ▶ Exposure decreases with age: 21% of 18-29 year-olds have seen the constitution, as have 10% aged 30-39, 6% aged 40-49, and only 3% of those aged 50+.
- ▶ On the other hand, exposure rises with education levels: no respondents without formal schooling have seen the draft, compared with 3% with primary education, 7% with junior secondary, 12% with senior secondary and 16% with tertiary education.
- ▶ Exposure favours formal metropolitan dwellers (12%) above those in informal areas (9%), small towns (6%) and rural areas (3%).
- ▶ Exposure currently also favours men (10%) over women (6%).

C A S E research for the Constitutional Assembly

The use of plain language is being separately evaluated and reported on. It is important to note here that the self-reported results of the relative ease or difficulty with the language are very positive, with only 9% of readers battling to understand what they read.

***Interest in the new Constitution***

We have already seen the extent to which respondents want more information about the Constitution. We also asked respondents whether they would be interested in reading the Constitution, once it has been completed. In response, a massive 84% of respondents replied that they would indeed want to read the Constitution, while another 8% (mainly



made up of those with no formal education) were unsure. Only 7% of respondents expressed no interest in the final document.

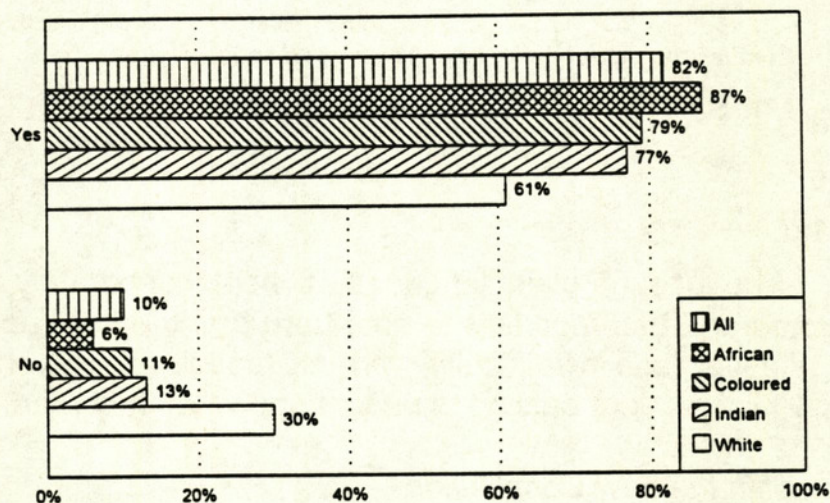
These results are partly borne out by the fact that over half (51%) of all those who have read the draft Constitution, have also discussed issues it raised with friends or colleagues. As we have noted, the Constitution has entered public discourse.

**'Do you want to know more about the new Constitution?'**  
(all respondents)

- We asked all respondents whether or not they want to know more about the new Constitution. In response, 82% said yes. This is roughly equivalent to 21 million adults who want to know more.
- Demand for information was similar across gender and rural/urban areas. Slightly fewer people aged 50+ want to know more - but 69% of this age cohort do want information. Fully 71% of those with no formal education want to know more about their rights and the Constitution.
- This in turn raises the question: who will undertake this civil education? The survey has shown the limited role that civil society has been able to play thus far in constitutional education. In the absence of a structure such as the CA to drive the process, to whom will the CA's legacy and campaigns be entrusted?

C A S E research for the Constitutional Assembly

**'Do you want to know more about the new constitution?'**



C A S E research for the Constitutional Assembly  
"Don't know" not graphed (total score = 8%)

Interest in reading the final Constitution was similar across race and gender. Support remained high across metropolitan (87%) and urban (86%) areas, but dipped slightly among rural dwellers (80%) and those from informal areas (78%). Similarly, the desire to read the Constitution ranged from 86% to 89% among 18 to 49 year-olds;

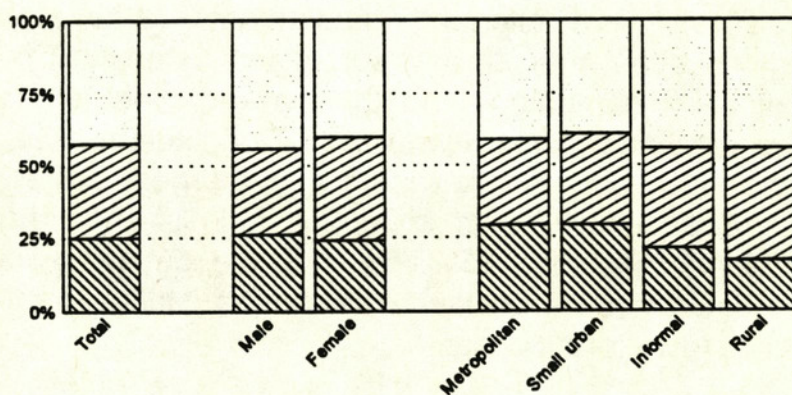


however, it fell away to 72% among those aged 50 and above. Finally, those with no education (63%) or primary level only (78%) were lower in their desire to read the new Constitution than those with higher education levels: 90% of those with senior secondary and with tertiary education want to read the document. This is partly explained by the illiteracy or semi-literacy rates, and their expectations of the final document. Nonetheless, the fact that two-thirds of those with no formal education express an interest in the final Constitution suggest that the Constitution might become a powerful adult education and distance learning tool, and the CA might wish to form partnerships with NGOs working in this field, as a means of trying to reach these particular groups.

Finally, as we have seen, interest in the Constitution increases as age decreases. The survey only sampled people aged 18 and above, so we can only speculate that this interest is retained at least amongst teenagers. This adds support to the notion reported elsewhere in the C A S E evaluation that the Constitution - or at least the Bill of Rights - ought to be popularised and discussed at school level, not just regarded as an adult matter.

We tackled the issue from a different angle, asking respondents whether they believed the final Constitution could reflect everybody's views, and whether it would reflect the respondents' own views. In response, 42% of respondents replied that the Constitution can reflect everybody's views, while a third (33%) were unsure and a quarter (25%) correctly said "no". The Constitution-makers may *consider* the views submitted to them, but the Constitution certainly cannot reflect all those views. The answers to this question do suggest that more work needs to be done to explain the process that the CA went through, and the fact that the Constitution is a negotiated document which reflects broad consensus among its authors.

Can the new constitution reflect everybody's views?  
All respondents

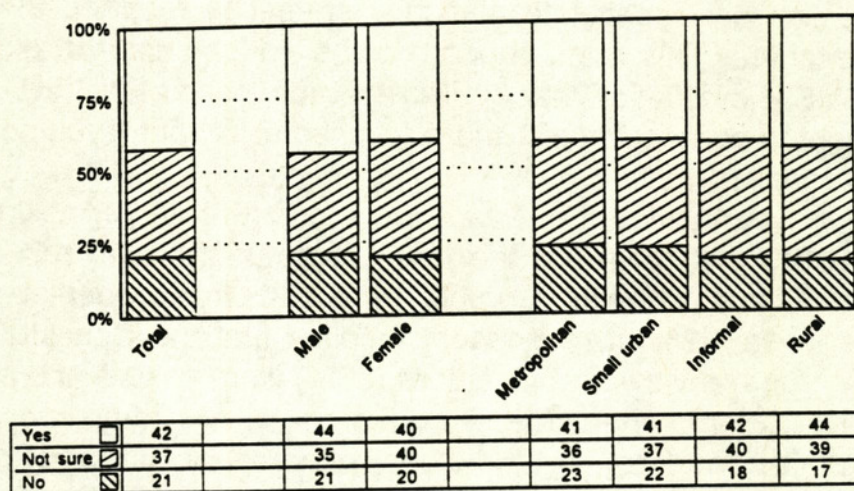


Yes	42	44	40	41	39	44	44
Not sure	33	30	36	30	32	35	39
No	25	26	24	29	29	21	17



Older people showed a notable pessimism about the new Constitution's ability to and likelihood of representing their own and others' views; only a fifth (22%) of those aged above 45 answered each question positively. In contrast, almost two-thirds of people aged 18-24 years felt that the new Constitution will guarantee freedom and equality for all. Most hostel dwellers were unsure whether the new Constitution could reflect the views of everybody (70%) or would reflect their own views (75%). Hostel dwellers were twice as likely as people from other areas to be unsure of their response, but were also less likely to respond negatively.

Will the new constitution reflect your views?  
All respondents



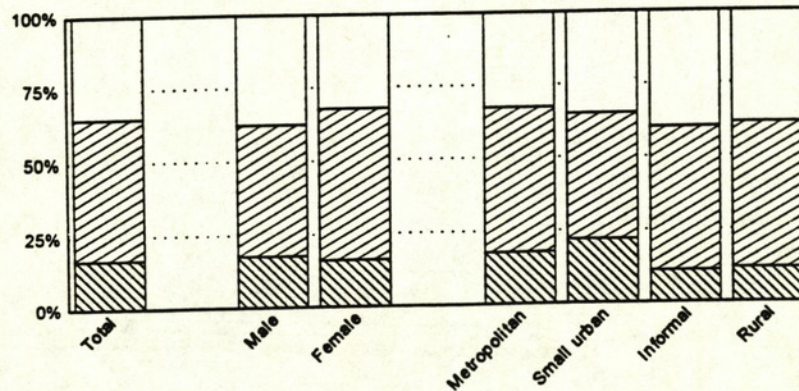
C A S E research for the Constitutional Assembly

Women were slightly less positive towards the new Constitution than were men, but were also less negative; they tended to be more unsure of their attitudes, and did not take strong positions: between 36% and 40% chose "unsure" in answer to the questions about reflecting everybody's views and their own views respectively.

Finally, we informed respondents (after asking a range of questions about the public participation campaign) of the goals of the participation campaign, and then asked whether they believed that ordinary people helped write the Constitution. The answers to the question make interesting reading. The largest single group were those who were unsure, comprising just less than half (48%) of all respondents. A further 35% were positive, believing that ordinary people had indeed made a positive contribution. Half this number (17%) were negative in their responses.



## Did ordinary people help to write the constitution? All respondents



Yes	<input type="checkbox"/>	35	38	32	33	35	40	39
Not sure	<input checked="" type="checkbox"/>	48	45	51	50	43	49	50
No	<input checked="" type="checkbox"/>	17	18	16	18	22	11	12

C A S E research for the Constitutional Assembly

People younger than 44 years were most likely to feel that the public had contributed to the constitution making process, with 81% answering the question positively. Negative responses increased with age.

In all areas there were more unsure responses than positive ones, an effect which was most noticeable among hostel dwellers where we found twice as many negative (25%) as positive (13%) responses, and almost two thirds of residents were not sure.

People seem unwilling to commit themselves to an answer to this question, which is unsurprising since only 8% had seen and only 5% had read the document, and were in a position to at least attempt a judgment. The question thus really probed peoples' belief in the process, and was less effective than we might have hoped.

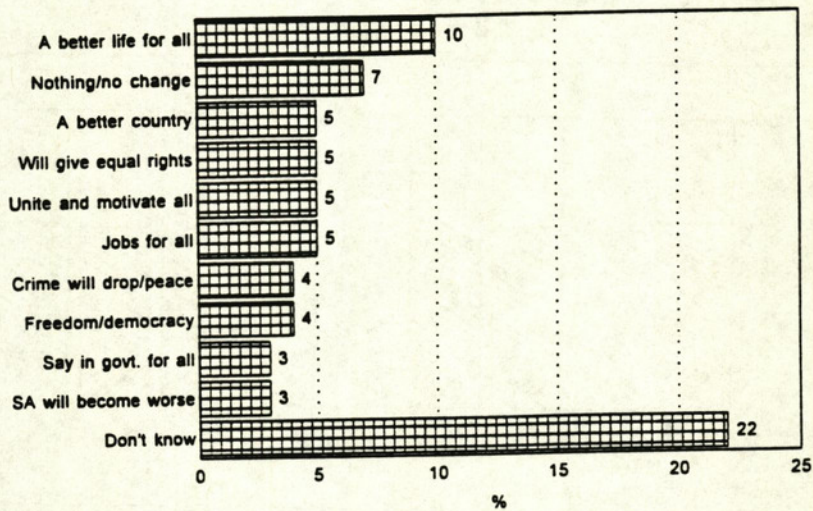
This discussion raises the same questions as we noted when analysing those who want more information, in the short- and medium-term, about the Constitution: namely, what is to happen to the public participation, media and public education campaigns mounted by the Constitutional Assembly?

### *Expectations of the final Constitution*

The final question in the survey instrument was an open-ended one, to allow respondents to reflect on the issues raised during the interview and answer the question: "Think about South Africa in the future and please tell me how the new Constitution will affect the way South Africa is governed".



**'How will the Constitution affect the way SA is governed in future?'  
(open-ended question, all respondents)**



C A S E research for the Constitutional Assembly

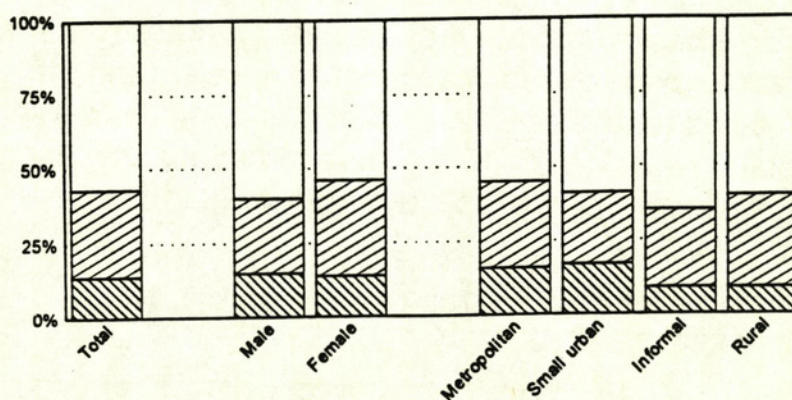
Answers reveal the three basic patterns identified in the evaluation as a whole: about a fifth (22%) stated that they "didn't know" what effect it would have. A small grouping (about a tenth of respondents) felt that the Constitution would either have no effect at all, or would make things worse in South Africa. The remainder - three-quarters of the sample - were positive, citing a range of improvements which they believed would result from the adoption of the final Constitution.

This is extremely important for the CA. We have already seen that people are interested in the final Constitution, and the extent to which people want to be part of the Constitution-writing process. Here we find that there is a large section of the population which sees the Constitution as an integral part of the democratisation of South Africa, of bringing about a better country and improved life for all.

We also asked respondents whether they felt that final Constitution would guarantee freedom and equality for all South Africans. There were around twice as many positive as negative responses to this question, with 57% of all respondents replying positively and only 14% negatively; the remainder were "unsure".



## Will the new constitution guarantee equality for all? All respondents



Yes	<input type="checkbox"/>	57		60	54		55	59	65	60
Not sure	<input checked="" type="checkbox"/>	29		25	32		29	24	26	31
No	<input checked="" type="checkbox"/>	14		15	14		16	17	9	9

C A S E research for the Constitutional Assembly

Looked at by area, we find that people living in informal areas were most optimistic (at 65%), closely followed by rural dwellers (60%) and formal urban (59%); the least convinced were formal metropolitan dwellers, 55% of whom nonetheless believe that the Constitution will secure freedom and equality for all. This is an extremely positive result, suggesting that people from marginalised areas have pinned their hopes to the Constitution securing their future rights. "Unsure" answers were most common among people with low (or no) education, and decreased as education levels rose.

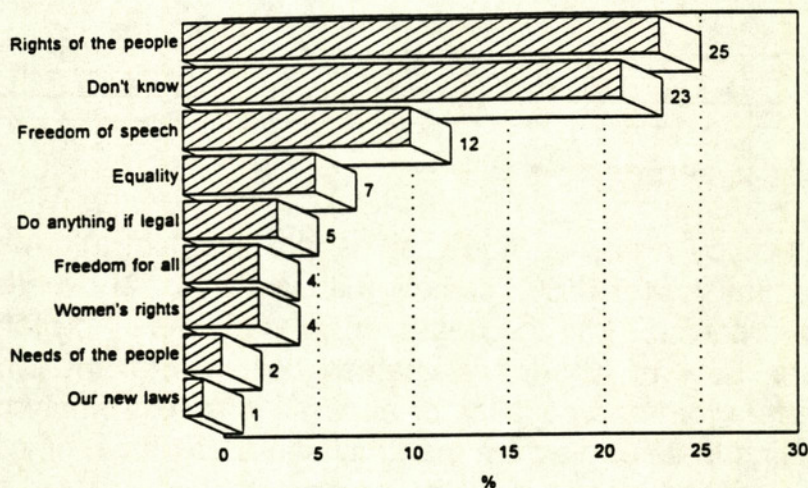
### HUMAN RIGHTS AND CONSTITUTIONALISM

One of the key problems facing the evaluation was to try to develop an understanding of what people understand of terms such as 'human rights' the 'the Constitution', which of course underpin the entire CA exercise. To do so statistically (the issues were tested qualitatively in early 1995, as part of the first evaluation) we developed an introduction to the survey (which is read to all respondents) that deliberately failed to mention the constitution or rights. This was immediately followed by two open-ended questions. Open-ended questions allow respondents to give any answer they choose, which is later coded and grouped with other, similar answers, to allow a near-qualitative element to be part of a quantitative exercise. The first two questions which respondents had to tackle, with no prompting or explanations were "Could you please tell me what you understand by the term Human Rights?", and "In one short sentence could you please tell me what you think a constitution is?". The reason for asking these questions in this manner was to probe



knowledge of human rights and the Constitution in an environment not yet intruded into by 40 minutes of questions about related issues, which may badly skew answers. Of course, had we asked the questions later, more people may have felt confident to answer, and may have provided more detailed (and hopefully accurate) answers. However, we hope that the results reveal 'top of the head' notions of human rights and constitutionalism which people are likely to hold.

**'What are human rights?'**  
(all respondents)



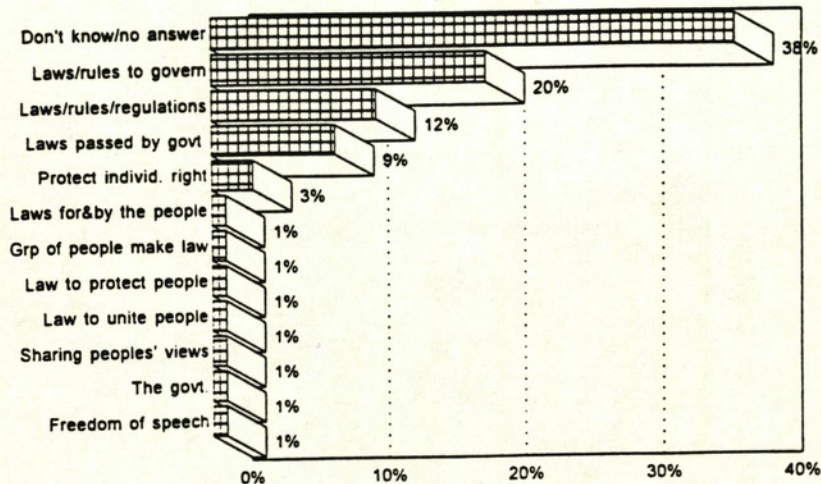
C A S E research for the Constitutional Assembly

The main answer to the question about human rights was that human rights are "the rights of the people" (25%), closely followed by those who did not know the answer (23%). Thereafter, freedom of speech (12%), equality (7%) and other rights issues were cited by respondents. A closer analysis of the individual answers which constitute these codes will reveal the extent to which "the rights of the people" is a well-informed answer or not, but time has not yet allowed for that. We can say that a quarter of respondents do not know what human rights are: the remainder have a more or less clear conception of rights.



## 'What is a constitution?'

(all respondents)



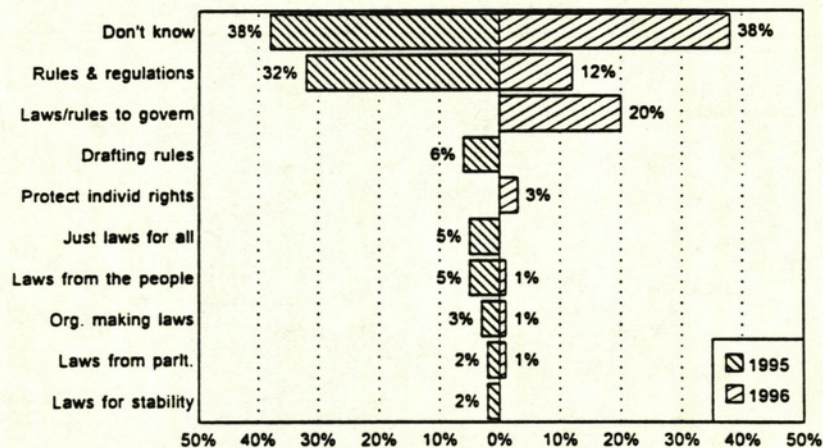
C A S E research for the Constitutional Assembly

When we asked about the Constitution, the "don't know" answers rose to 38% - precisely the same as it had been in the 1995 C A S E survey for the CA. Those who say they don't know what a Constitution is are more likely to be African, female, and from rural or informal areas.

## 'What is a constitution?'

(open-ended question, no prompting, all respondents)

Comparing 1995 and 1996 C A S E surveys for the CA



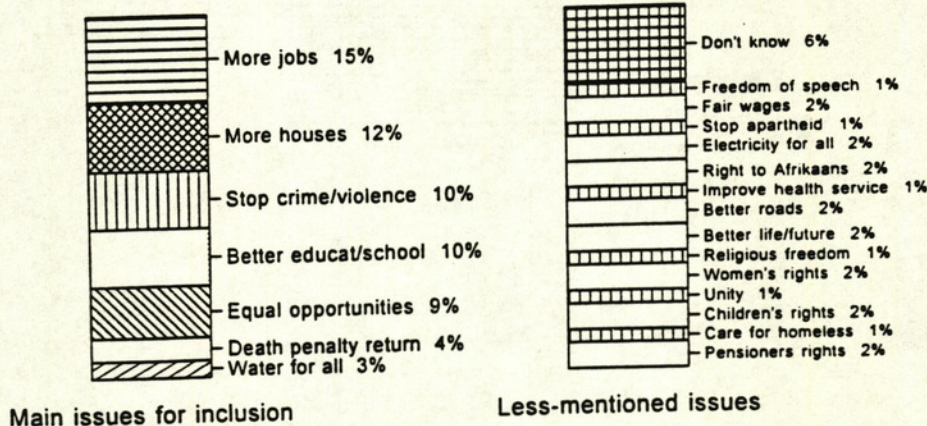
C A S E research for the Constitutional Assembly

Among those who did know what a Constitution is, a fifth described it as the laws or rules by which the country is governed - a precise definition. Another 12% described it merely as laws or rules, while 9% saw it as laws passed by government, clearly beginning to misunderstand the difference between ordinary law and the Constitution.

Other respondents cited issues such as protection of individual rights and laws made for and by the people, while 1% referred to the CA campaign of gathering people's views together for possible inclusion in the Constitution.



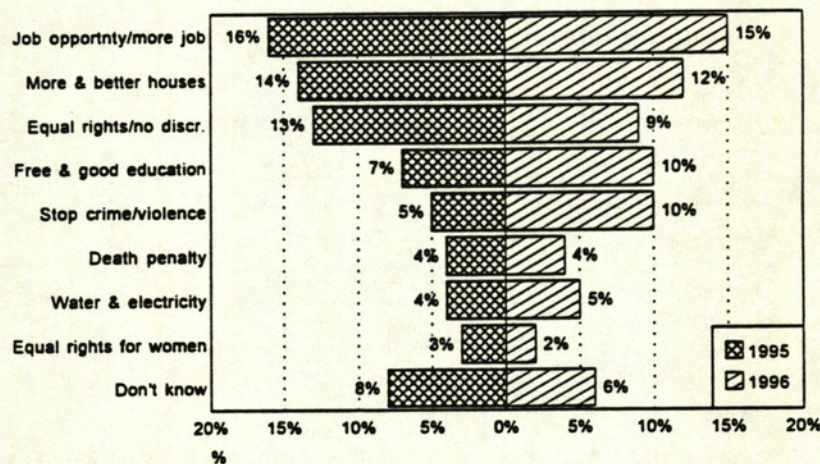
**Most important issue to be included in the constitution**  
(all respondents, first choice)  
Open-ended question, no prompting



C A S E research for the Constitutional Assembly

When we compared these results with those from the 1995 survey, the main difference is the distinction between rules and regulations, and rules to govern by. A closer scrutiny of the individual responses in these codes is needed, but it may be that a more subtle understanding of the Constitution - as the supreme law of the country - has emerged over time.<sup>3</sup>

**Most important issues to be included in the constitution**  
(open-ended question, first mention, all respondents)  
Comparing 1995 and 1996 C A S E surveys for the CA



C A S E research for the Constitutional Assembly

Later in the questionnaire we asked respondents what the main issues are that they would want to see included in the Constitution. Results from the 1996 survey scarcely differed from those of the previous year: jobs, houses, the need to end crime and violence and better education topped the scales on both occasions. This is open to

<sup>3</sup> Thanks to Phil Knight for highlighting this distinction.



two interpretations. On the one hand, these results clearly strengthen those who are calling for the inclusion of socio-economic rights in the Constitution. On the other hand, it might be that respondents are unclear as to what the kind of issue is that should be in a Constitution, and are rather highlighting their immediate needs. It should be noted that socio-economic issues are intermingled with more 'traditional' rights - equal opportunities, freedom of speech, religious freedom and so on - throughout the list of issues raised by respondents.

A third argument may well be that many South Africans are aware that previous Constitutions and bodies of legislation were precisely the vehicle which denied the right to vote but also the right to basic necessities such as jobs, houses, clean water, electricity and so on. The struggle against the tricameral parliamentary system, and the ensuing heightened resistance focusing on bread-and-butter issues of the 1980s is still recent enough to have made a strong impression on people's sense of what rights *should* be. It is noteworthy that only 6% of respondents did not know what issues they would want to see included.

In sum, it seems that adult South Africans have a relatively clear understanding of human rights, although fewer know what a Constitution is. Most respondents put forward issues for inclusion in the Constitution that included both socio-economic and more 'traditional' rights. There seems to be a healthy interest in and knowledge of these key issues, among the population at large. As we noted, however, ignorance of these issues is highest among the more disadvantaged groups - who arguably most need to know what their rights are.

## CONCLUSION

### *The future of the Constitutional education and participation campaigns*

The survey data strongly suggest that the media campaign, the public participation campaign and the local-level constitutional education campaign, are all in full swing. Many South Africans know of the CA and what it is doing; know that they can take part in the Constitution-writing process; feel part of the CA process, regardless of whether or not they have taken part, while more *want* to take part in future; and most South Africans believe that they should be consulted about the Constitution. The CA campaigns are primarily responsible for this knowledge of and interest in the process. It must also be noted that there are a considerable number of Non Governmental Organisations (NGOs) which undertake rights education, either generally or in specific areas (such as workers' rights, women's' rights and so on). They too have contributed to the public knowledge of the CA process, as have the on-going debates and disputes among political parties, and the attendant media coverage.



Furthermore, structures such as the Human Rights Commission have a mandate to undertake human rights education in the future.

However, the CA have also acknowledged that they are working in a difficult field, trying to explain complex concepts included in the Constitution (as well as the Constitution itself) to South Africans, and focusing specifically on the marginalised communities such as rural and informal dwellers, the elderly, women, the under-educated, and others. These groups also suffer from extremely high illiteracy, compounding the difficulties of the task.

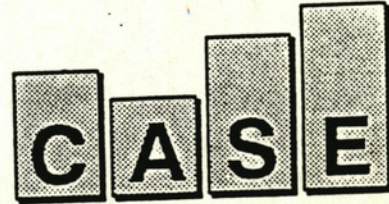
In the face of these problems, it is unsurprising that it has taken over a year for the campaign to hit full stride. That is where it is currently. Our question is simple: if the CA has reassured South Africans throughout the Constitution-writing process of the need for their active involvement rather than mere interest in the process, and have gone out to facilitate such involvement amongst normally marginal groups, how is it that the CA is expected to close, and its campaign to end, at the precisely the point of greatest need - that is, at the moment that the final Constitution is issued. Who will mediate and explain it to ordinary people in the street? Who will focus on illiterate and semi-literate South Africans, in order to explain their rights? Or to farm-workers and other, similar, groups?

We believe that the campaign of civic and constitutional education and participation must not be allowed to end in mid-1996, when the Constitution is finalised. That is the most important point in the campaign - to finally explain to people exactly what their rights are. There is also at least a short-term need to demonstrate to people quite how their submissions were dealt with and may or may not have influenced the final document (the current phase of advertising is already tackling this issue to some extent). Whether it be the CA itself, or the Justice Department, the Human Rights Commission or some other government structure, is not of concern here. Our strong recommendation is that the campaign be continued in its current shape, combining mainstream and below-the-line media with face-to-face workshops for communities in rural and peri-urban areas. We also urge that if the campaign is retained, then the wealth of experience currently in the CA be passed on to whatever new structure runs the campaign: it must not start again from scratch. This multi-faceted campaign has generated excitement in South Africans about the new Constitution, and the desire (on the part of 84% of the adult population) to read the final document. That will be compounded by the fanfare which will attend the launch of the Constitution. That is precisely the moment at which an intensive education campaign needs to start, and to continue running.



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## RESEARCHING THE PLAIN LANGUAGE INITIATIVE

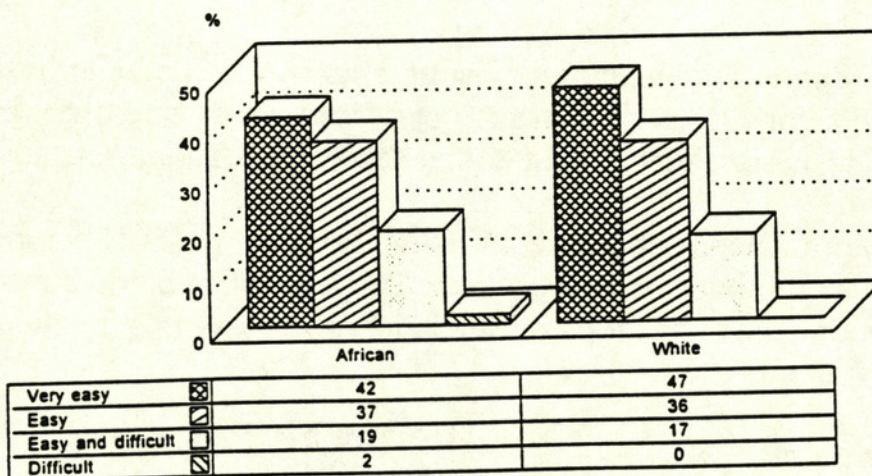
### C A S E EVALUATION OF THE CONSTITUTIONAL ASSEMBLY

#### INTRODUCTION

The Constitutional Assembly committed itself to drafting the Constitution in plain language, in order to make it as accessible a document as possible. Results from the evaluation of the CA, conducted by C A S E, the Community Agency for Social Enquiry, suggest that the initiative has met with widespread support, and that the draft Constitution is indeed very readable.

The notion of plain language, however, is not an easy one to utilise in South Africa. Illiteracy rates are estimated at between 40% and 50% of the population. In addition, we have eleven languages, with dialects on top of that. Constitutions, as with most legal texts, are frequently written in complex language. In this context, it may be useful to consider *degrees of plain language*, rather than insist on an absolute level of plain language. This became apparent in the evaluation, where respondents pointed out that plain language often takes away the poetry or majesty that Constitutions should have, as documents of national unity and inspiration.

Rating the level of language used in the draft constitution  
 (comparing African and white respondents)



C A S E research for the Constitutional Assembly  
 Coloured and Indian samples too small to graph.



A range of research instruments were used to test the plain language initiative. These included focus groups with ordinary citizens, interactive workshops with potential users, and interviews with Constitutional drafters. These different research instruments were designed so as to involve different potential users and generate a range of responses. All participants in the focus groups had at least some secondary education, although they differed with respect to province, race, home language, gender, area, level of education and occupation.

All the research instruments found overwhelming support for the plain language initiative. All demonstrated that the plain language versions were more accessible for a wide range of users. They also highlighted difficult terms and phrases, and the dissonance between plain language and traditional, more complex language clauses, which commingle in the draft Constitution.

### Of those who have read the draft constitution, who found the language difficult?

(combining those who reported understanding "not everything" and "hardly anything")

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- 5% of the sample had read the draft constitution. Of these, 41% understood "everything", 17% understood "a lot", and a third (33%) understood "some": only 9% had difficulty with the language. This is a remarkable success for the Assembly.
- Only a single respondent who had read the constitution reported understanding "hardly anything". 9% of African readers struggled with the language.
- People who had not participated in CA meetings had more difficulty understanding the draft than those who had participated, emphasising the inter-connectedness of the entire CA endeavour.

The full reports on the different instruments contain detailed observations and recommendations, as well as listings of difficult words and phrases, and so on. Some of the more salient and general recommendations are summarised here.

The two graphs included here are taken from the national survey of 3800 adults of all races from across South Africa. The full results of the survey, and of all the methods used in the evaluation, have been submitted to the Constitutional Assembly.

#### RECOMMENDATIONS

- The plain language initiative should not be restricted to the Constitution i.e. the Department of Justice should move towards plainer drafting of all legislation.



- There should be ongoing testing of plain language. The more general tests of the initiative conducted to date must be supplemented by detailed testing, particularly by the "first", or most likely, users as each new piece of legislation is drafted.
- Plain language drafting should become the norm for government drafters, and certainly for important or contentious pieces of legislation. Over time, drafters will become more experienced in using this method, and legal professionals will become more used to reading it, and short-term objections (the difficulty of learning how to draft, the possible loss of legal certainty, etc.) may fall away.
- Cross-discipline teamwork should be encouraged in all plain language initiatives. In particular lawyers need to learn from language specialists which constructions, words and other language features are difficult. Language specialists need to be aware of legal requirements in terms of certainty, precedents, and so on. Monitoring and testing is vital to ensure that the most likely 'first user' - interested people from various walks of life - are able to understand the document. These are the three main components of the team approach.
- Little attention was given to layout in the various tests as the plain language initiative in respect of the Constitution had not yet focused on this issue. Layout will require considered attention as it is clear that it has a significant impact on ease of use and accessibility. Tests run during the research show that considerable amendments are required to make the document reader-friendly. This should not be restricted to the final Constitution: ideally the official version of all legislation should embody as many of the plain language ideals as possible.
- Particular attention should be given to tables of content and headings. These have a significant impact on how people approach the text and how easily and quickly they find the information they require. They need to be a 'way into' the text, and not a complicated page that makes some readers not want to read any further, or unable to identify what they are looking for.
- Plain language drafting, however skilled, will not make legislation accessible to the large majority of our population who do not know English well and/or cannot read and write well. Translation into other languages, and the development of alternative media forms, will be needed to make it more widely accessible. Translation is not the same as plain language, and each translation will itself need to embody the principles of plain language drafting.
- Comprehension and accessibility increase when people have background knowledge of the issues. The effectiveness of plain language will be significantly enhanced by civic and legal education programmes. The Constitutional Assembly's media and public participation campaigns have been very successful in reaching people, and in generating discussion



about key terms and concepts in the Constitution. Other Government departments need to study the CA approach, and see what elements of it can be used to popularise their own message/s. The more an issue is spoken about, the better equipped readers are to make sense of plain language material dealing with the same issue or topic.

- The principles involved in plain language drafting, as well as the technical details of how to do it, should be widely discussed, particularly among lawyers. The research suggested that much of the initial resistance to the initiative resulted from lack of understanding and the apparent "strangeness" of the text. With involvement lawyers found that many - if not all - of their objections fell away.
- By the same token, ordinary citizens need to be able to access material once it has been produced by departments. Existing distribution networks under-serve rural areas, informal areas, and reinforce the weak position of many disadvantaged groups in South African society. Creative ways of getting plain language-drafted material to the widest possible readership need to be developed. The mainstream media alone are not sufficient to do so.
- Drafting should, wherever possible, be done immediately into as plain a language as possible, rather than first being drafted in the traditional style and then 'made plain'. This will help to break the tendency for those with legal training on traditional texts to fall into the old patterns.

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