COMMUNITY LIAISON DEPARTMENT

FINAL REPORT

APRIL 1996

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1. OBJECTIVES

Community Liaison Department was set-up to develop and implement the face-ti-face/outreach component of the Public Participation Programme.

The Departmental objectives derive from the objectives of the Public Participation Programme.

The specific objective of the Community Liaison Department was to facilitate an interface or dialogue of the South African people and their elected representatives, by consulting the population at various levels and at various stages of the process of constitution-making.

The Constitutional Assembly agreed that a particular effort should be made to meaningfully access the rural and disadvantaged communities that had hitherto have been marginalised from mainstream political processes. The decision to make the process inclusive, consultative and accessible and the decision to prioritise rural and disadvantaged communities presented the Constitutional Assembly with a number of challenges.

2. TIME FRAMES

The Community Liaison programme unfolded in two broad phases:

1. The Pre-draft Phase - January - October 1995

2. The Draft Phase - November 1995 - March 1996

5. MAIN ACTIVITIES OF COMMUNITY LIAISON

1. Provincial Government Liaison

The Community Liaison Department initiated and maintained regular liaison with Provincial Governments.

The CL department provided provincial governments with regular briefings on the Public Participation Programme. The contact was maintained on a weekly basis and through monthly visits to provincial governments. In this way, the Premiers' offices, provincial legislatures and provincial constitutional committees were kept informed.

This liaison led to the involvement of provincial governments in the constitution-making process. Provincial Government structures were instrumental in setting up the consultative meetings which preceeded each CPM. The CEP Co-ordinators were also introduced to the Provincial Governments.

2. Constitutional Public Meetings (CPM's): See Annexure A

Although called meetings, these were actually hearings in which members of civil society and the public were invited to make their views known to members of Theme Committees. These were organised in rural areas throughout South Africa.

Between February and August 1995 the CA organised 26 CPM's in all provinces.

These meetings were preceeded by 23 consultative meetings.

- 20549 people attended these meetings,

- 200 MP's participated,

- 717 organisations participated.

The CPM programme involved and engaged civil society structures and the public at large in mainly the rural and disadvantaged communities. The public were afforded an opportunity to make submissions, both verbal and written and in doing so were given an opportunity to interface directly with their elected representatives. The programme reached a large number of civil society structures and members of the public who have not historically enjoyed effective access to political processes.

Objectives:

*   To afford the relevant sectors with an opportunity to make their comments and submissions on a new Constitution to members of Theme Committees and the Management Committee.
*   To involve members of Theme Committees and the Management Committee in the Public Participation Programme, particularly to hear what the organised sectors' views were on what a new Constitution should look like.
*   To involve organisations within civil society in a partnership in organising such events.

Process:

During the first phase the emphasis was on receiving submissions from the public and political parties. These submissions fed into the Theme Committee process.

The Theme Committee hearings were organised in the day to day work of the Theme Committees and had a specific narrow focus outlined by the relevant Theme Committee (please find attached the details of these Theme Committee hearings, workshops and seminars - **see Annexure B**).

The NSPHP was a more co-ordinated approach and primarily organised by the Community Liaison department. These hearings were more broadly-based and across Theme Committees.

The conceptualisation and implementation of the Sectors Programme involved the following facets:

*   A decision was made to use sub-contractors to assist with the logistical arrangements of some hearings. Further, where it was possible, these subcontractors also provided us with initial stakeholder lists for some of the hearings.

*   Consultation with Secretariat in terms of Programme and Stakeholders. Stakeholder lists and suggested programmes were taken by the Secretariat to the Theme Committees for approval.

*   The Secretariat, through the Theme Committees and the Management Committee, identified CA members who would attend hearings.

*   Logistics were divided into the following areas:

NOTE:

* Mainly the same stakeholders attended both the Hearing on Women and the workshop on National Machinery and the Advancement of Women.

(2) Determining Stakeholders and Speakers

Once particular hearings were agreed to, we then had to determine which individuals and organisations would best represent a sector. Primarily, umbrella structures and the national offices of structures were the focus. This involved obtaining lengthy databases and then determining a list of invitees. During this process we had to pay careful consideration to achieving a balance of political persuasions.

These issues were also a concern when picking speakers who were politically acceptable and able to enlighten debate in order to highlight the issues.

(3) Setting Agendas

It was our responsibility to set agendas which aimed to balance the need for political representation with the pragmatic desire to flesh out many of the complex issues within the constitutional text. We were required to consult Theme Committees and political parties on the make-up of the agendas, and we were often required to broker agreements between those wanting sectors to make broad submissions and those wanting debate around specific contentious issues. Agendas took on the following format:

(1) **Registration**
(2) **Welcome and Opening Address** (CA Member)
(3) **Address from Organising Sub-Contractors** (ie IDASA)
(4) **Session One, Two etc.** (sessions looked at specific issues and were chaired by members of the Theme Committees)
(5) **Speakers to Introduce Each Session** (Foreign and local speakers helped to frame discussion and brief participants on the issues at hand. In addition, these speeches served as official oral submissions.)
(6) **Open Discussion** (Participants were given an opportunity to make oral submissions. Questions of clarification from:
Participants to Theme Committee members
Theme Committee members to participants
Sector representatives who did not submit written submissions, were given preference during open discussion time to speak. The chair ensured that a spread of organisations and structures are given a chance to speak.
(7) **Additional Sessions and Open Discussions**
(8) **Closing** (CA Member)

(11) Security
Security for stakeholders and politicians was arranged in both the World Trade Centre and Parliament.

(12) Transcription and Translation
All audio tapes were transcribed and translated to some extent (translation mainly occurred on Afrikaans texts) by IDS and ECCO.

(13) Documentation Packs
Stakeholders attending hearings were given documentation packs that contained the agendas and any relevant written submissions that the CA had received prior to the hearing.

Status of Hearings

The public hearing was not a decision making or debating forum, it was an opportunity for representatives from the sector to make their input and submissions. The Public Hearing was not a forum to achieve consensus. Constitutional principles were not open for debate.

Submissions:

All submissions (written and oral) from the public hearing:

a) Were processed by the relevant Theme Committee.
b) Had the same status as written submission that had already been submitted to the Constitutional Assembly.
c) Informed the constitution making process.
d) There was no guarantee given that submissions became a part of the final constitution.

Submissions were taken both orally and in writing. Oral submissions were recorded and transcribed.
Written submissions were compiled and distributed to stakeholders, where possible, and Theme Committees.
Minutes and reports drawn up by the Secretariat/Technical Advisors, were given to the Theme Committee members to inform the process.

Assessment of the First Phase

Given the limited time the Administration had to develop and implement this programme, it is significant that **596 organisations** were consulted. This translates into **1508 actual representatives** across the spectrum of civil society seen.

a. Participants felt that a limited number of people were given prominence.

b. Whilst the input made by speakers and submissions made by participants had the same status in the submission process, there was a feeling that more attention would be paid to the input/submissions of speakers.

(2) In the organisation and actual implementation of the hearing programme, the political dynamics and sensitivities had to be closely monitored and responded to appropriately. Some areas included:

a. Flexibility in the agenda in order to make changes at short notice.

b. Preparation of documentation was an ongoing activity.

c. Having to make allowances for additional people outside of the invited representatives. This was common throughout the hearing programme and had to be dealt with on a case-by case basis.

(3) Issues of protocol were extremely important especially during the Traditional Authorities Hearing. It was the first time in South African history that such a large cross-section of traditional leadership were present in one gathering. This meant developing a comprehensive guide for protocol in consultation with departments, organisations and technical advisors.

(4) The partnership with NGOs, as indicated previously was extremely important and mutually beneficial, however some learning points on this score were:

a. The joint management of the process was essential. Although the NGOs were sub-contracted to do the logistics, CL ended up jointly managing most of the logistics. Some NGO's had a distinct lack of capacity.

b. An understanding of the Constitutional Assembly, and the political process more broadly, was in some instances not adequate. Due to the limited time, not enough attention was given to this area.

c. Our expectations of some NGOs and their contact networks was too high. As a result certain tasks had to be taken over by CL.

d. Given the short time frames, planning, particularity joint planning with the NGO, did not happen sufficiently. The importance of this area can not be over emphasised, and should be taken into account in organising similar events in the future.

hence many of the issues had already to large extent been dealt with in the Sub Committee discussions. The nature of many of the submissions, while substantive, largely restated the original positions of the stakeholders articulated in the first phase and were thus limited in the extent to which they could take the process of discussion forward.

In terms of the political process parties involved themselves in bi-lateral and multilateral processes to resolve areas of contention. This was because most outstanding issues were deeply ideological in nature and thus needed to be resolved between the parties.

Stakeholders in civil society thus participated in the constitution making process in the second phase in the following ways:

* Stakeholders were drawn into consultations with parties in the Constitutional Assembly within the multi-lateral and bilateral process. While the administration assisted in organising the consultations, political parties controlled and determined the agenda, the stakeholders, the proceedings and the extent to which it got reported to the public at large. For example, the consultation on the chapter on Courts and the Administration of Justice was organised by the CL department.

* Stakeholders lobbied politicians and political parties directly.

* Members of the Constitutional Assembly were invited to conferences organised by the various sectors to explain the debates with regard to the working draft.

* Stakeholders views were also communicated to the Constitutional Assembly through the submission process.

Thus due to the fluid nature of the political process the nature of sectoral participation through the
hearing process altered in the second phase.

Conclusion

The involvement of civil society in the constitution-making process has set a precedent for the rest of government. This process has not only enabled civil society to participate in the normal process of submissions, but has gone further in creating a culture of lobbying and thereby participating in the process of governing.

The skills and experience gained during this process must be passed on to government, to enable effective governance in partnership with civil society.

Pre-Working Draft Phase

During this phase, workshops were designed to provide education on constitutionalism; to educate people about the process; to encourage people to make submissions about what they thought the New Constitution should say; and how to make these submissions.

Coordinators were trained to run two types of workshops: a three hour version involving role plays and other participatory techniques which coordinators ran alone; and a one hour briefing to be used when coordinators had been invited by an NGO or campaign to attend a workshop organised by that NGO or structure. During this phase, Coordinators were often forced to use the briefing workshop because the number of participants was too high to run a three hour workshop.

Coordinators were trained using a training manual developed by the CA. This was an extensive manual, containing both the information coordinators would need to know in order to run these workshops, as well as the techniques and methodologies to be employed. Coordinators were also provided with material about the CA, constitutions, and the constitution making process, including posters, copies of the various issues of the CA newsletter Constitutional Talk, and a booklet entitled You and building the New Constitution. Although the latter was translated into all official languages, the production of booklets in these languages was unavoidably delayed. Eventually, it was agreed by Community Liaison that the booklet would not be printed in other languages, since the book designed for the next phase was almost ready for distribution and included all relevant information contained in the booklet.

Coordinators assisted the CA in the implementation of the Constitutional Public Meeting programme. This entailed the convening of consultative meetings with representatives from local organisations and assisting with the logistical work necessary to holding large public meetings in rural areas. Workshops were held in the area where a CPM was to be held in order to prepare the community for the meeting.

Working Draft Phase

During the second phase, Coordinators were re-trained about what the Working Draft was and what it contained. The training manual was revised and updated to include additional material on the Working Draft and to remove unnecessary information. A new workshop was devised to educate people about the Working Draft and to encourage people to comment. Because the comment phase was limited, it was decided that comments should be elicited from participants during the workshop. These were reported daily to the CEP and were included in weekly reports to the CA team receiving input from the public. This was a difficult workshop to devise and run, since time was limited; the content of the workshop was necessarily complex; and the numbers of people attending these was,

The underlying philosophy of this approach is that people learn much better if they are involved in the learning process and not merely lectured to. Workshops were thus designed to be as participatory as possible and were held in people's own communities to ensure that people could attend without having to spend scarce finances on transportation. Two Coordinators from each province were identified and trained to run these workshops, since they would have the language skills required by their province as well as an understanding of the communities in which they would work and the problems facing these. The coordinators were trained in facilitation skills to enable them to run these community workshops.

Language Policy

The CA had a policy of providing information and education in all languages, where this was possible. In some circumstances, because of the very limited time available for the delivery of the education programme, it was not possible to provide material in all languages.

Various strategies were implemented in order to ensure that the public was reached in the vernacular. These included the following:

* selection of coordinators with language skills;

* printing of the tabloid version of the Working Draft with explanatory articles in all languages;

* printing of an explanatory booklet, <u>Constitutions, Democracy and a Summary of the Working Draft</u>, in all official languages to supplement the content of the workshop programme;

* printing of educational posters in all languages.

Civil Society

South Africa has a vibrant civil society with a large number of NGOs working within the human rights and education sectors. Organised sectors from civil society interacted with the CA in a number of ways, such as attending national sector public hearings, sending in submissions and making presentations to the CA.

Other important ways of interacting with civil society included the interaction on a provincial basis with the CEP coordinators. All coordinators met with representatives from organisations in order to inform them of the constitution-making process. These meetings were held on a regular basis as the process unfolded, so that civil society structures were kept up-to-date with developments.

The dynamic nature of the constitution-making process cannot be overemphasised. There was a constant need for information to be passed from the CA to the public. This was done through print and electronic media, but it is important to note that

comply with SACS office routine, as well as with the requirements of the CA. The coordinators were also mostly from the NGO environment, where greater flexibility in working conditions is possible.

The first phase was characterised by administrative difficulties, particularly in relation to GG vehicles. There were a number of accidents during the duration of the programme, fortunately none resulted in injury.

Coordinators were expected to drive in rural areas, where the roads are not in good condition. GG was initially requested to supply one bakkie and one car per province. Only the Northern Cape obtained a 4 x 4.

Achievement of Objectives

1 **Community participation in constitution-making process - community workshop programme:**
   The workshop programme was most effective during the Working Draft phase (see attached schedules). This was a result of the work in the Pre-Working Draft phase, which laid the ground work for the second phase.

2 **Raising the profile of the CA and popularising the process:**
   Organisations were contacted in all provinces and informed about the process. They were encouraged to participate in the process by sending in submissions.

3 **Focus on rural and disadvantaged communities, with emphasis on empowerment:**
   The methodology of the workshop programme was participatory and aimed at assisting people in understanding the process and how to interact with the CA. Participation in a workshop of this nature is itself an empowering process. In addition, the process of consultation in the constitution-making process was felt by participants as being inclusive and involving them in the most important development in the country.

   Workshops were held in rural areas, with the exception of Gauteng, where large numbers of people live in urban settlements. The focus here was on disadvantaged communities.

4 **Coordination with other Community Liaison activities:**
   The CPM programme was already underway by the time the provincial coordinators were appointed. The coordinators assisted with logistical support and were very important in connecting with community organisations prior to CPMs. They helped ensure that the process of running a CPM was inclusive of the community structures. Workshops were held prior to the CPMs, where possible, to inform communities of the purpose of the CPM.

6   Short periods of intense work function well for delivery. The pre-planning and management of short intense programmes ensure effective use of time and resources. This was shown in the programme for the Working Draft phase.

7   Delivery times for material development need to be carefully managed.

8   Short time lines require close coordination and good working relationships. There has to be a level of trust, in that work undertaken by individuals or departments must be completed. The ideal situation is that teamwork is the norm. This requires all parties to take responsibility and effective measures to be taken when work is not completed. It may be desirable to keep work within a department or section which requires that work to be completed.

9   Appropriate prioritisation of work is essential when there are short time lines. It is often difficult to get boring or mundane work completed, but this must be done if the programme is to be effective.

10   Individuals interested in working in outreach programmes are often implement-driven, with limited interest in the report-writing aspect. Reports should therefore be structured, so as to limit the amount of time taken on this aspect.

11   It is important to understand the reasons for report-writing. This requires detailed knowledge about the purposes of the programme. Reports can then be designed in a way to facilitate the easy compilation of a number of reports for different purposes.

12   Computer technology should be used where possible. The lack of databases for reports has resulted in much time being lost by the manual compilation of reports.

5. Database

In September 1994 when the department was wet-up there was no database of civil society structures. Accordingly the department instituted a programme of database development. Information was gathered from CPM's, Sector Hearings and the CEP Programme. This database is an important development tool and will be available to anybody who wishes to use it.

- <u>Sectors</u>

  13 events
  1508 people attended
  596 organisations participated

- <u>CEP</u>

  486 workshops
  259 briefings
  446 meetings
  Total: 1191 interactions
  Total: 95 127 people reached

Note: There is an element of double counting because the primary aim of the CEP in the Draft Phase was to report back to structures accessed during the Pre-draft Phase

- Members of the CL department became the face of the CA at a community level and without exception acquitted themselves in such a way that they were a credit to the CA in each community that they visited to consult, educate or organise and were accepted as credible messengers from a legitimate organisation.

- Community Liaison has succeeded in taking the constitution-making process to a grassroots level. Historically disadvantaged and geographically remote communities were given an opportunity to participate in the process. Constitutional and educational materials were distributed throughout these communities.

- The Community Liaison Department through its face-to-face mechanisms has succeeded in breaking new ground in the field of communications. The CL programme was an innovative intervention in the field of mass communication. No other official campaign has successfully integrated community liaison mechanisms and media liaison mechanisms in a coherent national campaign.

- The department has succeeded in creating a face-to-face interaction between the people and their elected representatives thereby ensuring that the process of constitution-making remains in the public eye.

- The Community Liaison Department has succeeded is soliciting submissions from the broader South African population including rural communities. The spin off has been the demystification of the constitution-making process.

The CA realised that it could not implement a Public Participation Programme or any other type of communication programme based entirely on a media strategy. It was far-sighted in realising the need for a face-to-face outreach campaign. Government departments and other official institutions who need to implement a communications campaign need to take note of the necessity for a properly resourced and effectively managed outreach campaign, if not the impact will be negligible and civil society structures will not be effectively included.

CL and Media liaison work need to be effectively integrated to one wholistic campaign. The two processes need to be managed in an integrated way - more importantly a communications campaign that does not have an outreach component or apropriate resources and management will find that their investment in media processes is undermined. CL work underwrites media work and vice-versa.

Future campaigns should integrate both Media and Community Liaison strategies. Mainstream communications mechanisms alone (print and electric media) do not effectively reach many of those South Africans who have been historically disadvantaged. These mechanisms are also on their own inadequate for accessing educationally disadvantaged people and geographically remote communities. The CA has showed the importance of using community liaison approaches

Face to face communications at grassroots level entails consulting, informing, educating and working with important roleplayers in communities. A variety of methods can be employed including hearings, public meetings, educational workshop programmes, consultative meetings and briefings. The personnel who implement face-to-face work should have an extensive network of community contacts and should be regarded as credible by the communities with which they work.

The Constitutional Assembly has demonstrated that the face-to-face communication is the only effective way to:

- create an interface with civil society structures;
- reach those people that are not accessed by mainstream media;
- empower organisations and individuals through the implementation of community education programmes;
- access historically disadvantaged and geographically remote communities;
- empower educationally disadvantaged people;
- ensure the legitimacy of the process
- ensure the ownership of the process by the people

TOWN	PROVINCE	AMOUNT OF PEOPLE
Paarl	Western Cape	650
Klerksdorp	North West	150
Nelspruit	Eastern Transvaal	150
Graaf Reinette	Eastern Cape	210
Mangaung	Free State	205
Kuboes	Northern Cape	750
Saldanha	Western Cape	130
Phalaborwa	Northern Transvaal	1300
Ivory Park	Gauteng	900
Peddie	Eastern Cape	2500
Standerton	Eastern Transvaal	1200
Upington	Northern Cape	150
harrismith	Free State	600
Taung	North West	1500
Beaufort West	Western Cape	300
Kimberely	Northern Cape	220
Thohoyandou	Northern Transvaal	650
Lusikisiki	Eastern Cape	4000
Mafikeng	North West	350
Carnarvon	Western Cape	244
Ellisras	Northern Transvaal	1500
Mhluzi	Eastern Transvaal	1000
Pietermaritzburg	Kwa-Zulu Natal	1000
Maokeng	Free State	500
George	Western Cape	350
Empangeni	Kwa-Zulu Natal	40

SECTOR	DATE	WORKSHOP / SEMINAR / PUBLIC HEARING
1. Role, Structure and function of Local Government and it's relationship with other levels of government. 2. Delivery of services : Financial implications. 3. Rural Local Government.	14/08/95	Public Hearing
Public Administration and the Constitution International Experience	25/01/95	Workshop
Public Administration and the Constitution Heads of Government's Departments	27/02/95	Public Hearing
Public Administration and the Constitution Central Bargaining Chamber	06/03/95	Public Hearing
Public Administration and the Constitution Academic Institutions and Non-Governmental Organisations	13/03/95	Public Hearing
Public Administration and the Constitution Public Service & Ministry for the Public Service and Administration	14/03/95	Public Hearing
Public Administration and the Constitution Provincial Public Service Commissions	16/03/95	Public Hearing
Public Administration and the Constitution Local Government Structure	20/03/95	Public Hearing
Public Administration and the Constitution Central Bargaining Chamber (Cont...)	27/03/95	Public Hearing
Public Administration and the Constitution Provincial Legislature	27/03/95	Public Hearing
Electoral Commission	15/05/95	Workshop
Electoral Commission	22/05/95	Workshop
Electoral Commission	01/06/95	Public Hearing
Auditor General	14/11/95	Seminar
Central Bank	23/01/95	Seminar
Financial Institutions	09/02/95	Public Hearing
Financial Institutions	14/02/95	Public Hearing
Financial Institutions	20/02/95	Public Hearing
Financial Institutions	27/02/95	Public Hearing
Financial Institutions	27/02/95	Seminar
Financial Institutions	06/03/95	Public Hearing
Financial and Fiscal Commission	03/04/95	Public Hearing

ANNEXURE C

PRE WORKING DRAFT PHASE

CEP INTERACTIONS MAY '95 - 22 NOVEMBER '95

No OF WORKSHOPS	No OF PEOPLE	No OF BRIEFINGS	No OF PEOPLE	No OF MEETINGS
160	13 789	259	28 741	446

WORKING DRAFT PHASE

CEP WORKSHOPS 23 NOVEMBER '95 - 20 FEBRUARY '96

No OF WORKSHOPS	No OF PEOPLE
326	52 597

TOTAL NUMBER OF INTERACTIONS FOR CEP:
(Workshops, briefings and meetings)   1 191

TOTAL NUMBER OF PEOPLE FOR CEP: 95 127

PROVINCE	No OF WORKSHOPS	No OF PEOPLE	No OF BRIEFINGS	No OF PEOPLE	MEETINGS
MPUMALANGA					
	3	48	10	774	48
KWAZULU NATAL					
	20	965	35	2398	82
NORTHERN PROVINCE					
	33	1699	38	2289	21
GAUTENG					
	37	4267	52	9671	109
TOTAL	160	13 789	259	28741	446

The Community Liaison staff:

Cape Town

Head of Department	:	Edward Shalala
Deputy Head of Department	:	Ntozelizwe Tom
	:	(Ephraim Nkoe)
Secretary	:	Faiza Kippie

Constitutional Public Meetings and Provincial Liaison

Project Managers	:	Wayne Morris
	:	Maphelo Mvunelwa
Administrative Assistant	:	Beverline Thomas
	:	(Pamela Crowley)
	:	(Alex Sussman)

Constitutional Education Programme

Programme Managers	:	Fran Biggs
Resource and Training Manager	:	Greg Moran
	:	(Derek Fine)
Intern	:	Ivan Nielsen
Administrative Assistant	:	Fay Jamie

Sector Programme

Project Manager	:	Permenthri Pillay
Sector Co-ordinator	:	Bronwyn Levy
Intern	:	Josh Nathanson
Administrative Assistant	:	Nickey van Noodwyk

National Communication Co-ordinators - Operations Team

	:	(Nickey Le Roux)
	:	Werner Harms
	:	(Elmien Riley)
	:	Florence Magooa
	:	(Willie Lourens)
	:	(Sanet Buekes)
	:	Mari Stroebel
	:	Una Fourie