

# CONSTITUTIONAL ASSEMBLY

## INTERNAL MEMORANDUM

DATE : 13 DECEMBER 1995  
TO : HASSEN EBRAHIM  
FROM : EDWARD SHALALA  
SUBJECT : **VARIOUS COMMUNITY LIAISON DOCUMENTS**

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Please find undercover herewith the following documentation.

1. The Working Draft programme of the Constitutional Education Programme (X12 copies). In line with your instructions, I have not attached a budget, but merely some of the items that a budget will cover.
2. Proposal for Civil Society Project of the CEP (X12 copies). I have not attached a budget but, cost items are indicated under paragraph 4 titled "Training of Trainers Programme", page 3/4.
3. Proposal for Post Adoption Popularisation of the New Constitution (X12 copies). In the paragraph titled "Resources" on page 6. I have made reference to a provisional budget of R20 million, which figure does not include expenditure on electronic media

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# CONSTITUTIONAL ASSEMBLY

## POPULARISATION OF THE NEW CONSTITUTION

### PROPOSAL FOR THE POST ADOPTION POPULARISATION OF THE NEW CONSTITUTION

Between January and September 1995, the Public Participation Programme of the CA achieved unprecedented public mobilisation. Through the use of an extensive multi-media campaign, face to face interaction with civil society structures and members of the public, the CA reached over 80 000 people in a face to face capacity and received over 2 million submissions.

By the end of January 1996, the CA will have distributed over 4 million copies of the working draft and the public will be requested to make comment by no later than February 1996. The CEP will conduct approximately 300 workshops in all 9 provinces and in addition to providing education on the working draft, will also create opportunities for the workshop participants to make comment.

In addition, the CA has produced a wide variety of print media, including plain and simple language educational resources.

The PPP was guided by the following five principles:

- Transparency
- Inclusivity
- Credibility
- Legitimacy
- Consultation

The CA process has been fundamental to the building of democracy in South Africa. The process of building democracy does not, however, end with the CA process. The CA has laid the foundations and the process should continue to develop indefinitely. After adoption of the New Constitution, the CA will embark on a Popularisation Programme.

## **OBJECTIVES**

1. Deepen the process of democracy building;
2. Transfer and confirm ownership of the New Constitution to government, civil society and the public at large;
3. To empower society through a process of information and education so that people are able to use the Constitution.

## **GUIDING PRINCIPLES**

1. Inform - create awareness;
2. Educate for access and useability;
3. Legitimacy - the CA process, through its transparency, inclusivity and consultation has ensured that the constitution-making process is a credible one. The credibility of the process will help under-ride the legitimacy of the New Constitution. This legitimacy needs to be promoted and deepened so that there is an all encompassing respect for the New Constitution.

## **DELIVERY MECHANISMS**

This popularisation process needs to build on the work of the CA, enhance the momentum created by the CA process and set the tone for the continuing democracy building process.

There are three broad complimentary categories of delivery mechanisms namely:

1. Media Liaison;
2. Community Liaison and
3. The Legacy Project.

## **MEDIA LIAISON**

The CA will implement a comprehensive multi-media campaign. This campaign will air on TV and particularly Radio. Both forms of the electronic media can make use of talk shows, drama and educational magazine programmes. A variety of print media will be created and widely distributed. This should include further editions of Constitutional Talk. The CA Talk Line can also play an important role in popularisation

## **COMMUNITY LIAISON**

This programme will incorporate the face to face component of popularisation. There are two major parts to this process, namely, the Constitutional Education Programme and the Constitutional Liaison Programme.

### **1. Constitutional Education Programme**

The popularisation process can build on the Constitutional Education Programme currently being implemented by the CA. This should take the following form:

- (a) providing training of trainers and training of facilitators to government institutions and civil society;
- (b) providing training for teachers at primary and high schools and liaising with education departments to ensure that constitutional education forms a part of all school curricula. The CA can also assist the education department in the development of constitutional syllabi;
- (c) providing seminars for lecturers at tertiary institutions;
- (d) creating constitutional educational resources (summaries and posters) for use in the above-mentioned programmes and use in the media campaign in general. These resources should be widely distributed throughout the country eg to schools, clinics, work places, courts, post offices and churches

## 2. Constitutional Liaison Programme

During the pre-draft phase of the Constitutional Assembly's work the CA implemented Constitutional Public Meetings throughout South Africa. These meetings had a particular focus on rural and disadvantaged communities who had hitherto been marginalised from mainstream political process and who received very little if any of the electronic and print media. This process can be repeated but in a different form. The CA can arrange fora throughout the country for members of parliament to introduce, present, explain and hand over the New Constitution to Provincial Governments, Local Government Structures, Civil Society Structures and members of the public generally.

Drama can be used to popularise the New Constitution. This can take the form of road shows and also the use of action theatre groups and industrial theatre groups in schools and work places.

### LEGACY PROJECT

The above-mentioned programmes will go a long way to beginning a process of making the New Constitution a fundamental part of the social fabric of South African life. However, a number of additional processes need to be undertaken to facilitate the formal integration of constitutionalism into daily life. While traditions cannot obviously be created in an unspontaneous manner, it is nevertheless possible to help create the conditions for the possible emergence of social traditions around the New Constitution. There are a number of mechanisms that will be of assistance in this regard:

- (a) Constitution day - April 27th is currently Constitution Day. This day can be retained as a public holiday or if necessary another more appropriate day can be substituted. However, merely setting aside a day is not sufficient. There needs to be a series of recurring events/ceremonies that are held in all provinces each year on Constitution Day. The CA needs to liaise with the President's Office and the Premiers of each of the provinces in order to develop a programme for Constitution Day. This programme can consist of an invariable core ceremony held at both a national and provincial level. This ceremony should be officiated at by the Head of State and the Premiers of the nine provinces. The rest of the programme for each year's Constitution Day can be variable for example foci on democracy, freedom, human rights, good governance, etc. Each year the organisers could select a different sub-theme.

The period leading up to Constitution Day can also be used from time to time to assist in popularising the constitution. For example, competitions can be held in schools and the winning school can receive a prize from the State President on Constitution Day. In a number of countries, Constitution Day is celebrated as one of the most important days of the year , eg Norway.

- (b) **Constitutional Assembly Museum** - The CA should liaise with the Department of Arts and Culture in order to create a Constitutional Assembly Museum. This museum should incorporate the most sophisticated interactive museum technology. This museum can be complimented by nine provincial satellite museums based on the same principles.
- (c) **Constitutional Assembly Book** - The CA should produce a book to record its processes and this book should be in plain language and widely distributed to all libraries and educational institutions.
- (d) **Miscellaneous** - There are a number of other mechanisms that the CA can employ to popularise the New Constitution for example, a particular denomination of the national currency could carry reference to aspects of the constitution and or a limited edition set of coinage could be minted. The President could also sign a number of additional copies of the Constitution which could be used as prizes in Constitution Day competitions.

## **PROCESS**

The process of popularisation should begin at the adoption session of the Constitutional Assembly. The adoption session could be preceded by a ceremony in which key civil society stakeholders participate. This could include the stakeholders making an address to the Constitutional Assembly. The adoption session should be televised and broadcast live throughout the country. This should be followed by an intensive media campaign consisting of advertisements, talk shows, and extensive distribution of the New Constitution. During this period, the Chairpersons of the CA, the President and members of the National Cabinet and members of the National Parliament should present the Constitution to all of the Provincial Governments. The Constitutional Liaison Programme mentioned earlier could begin at this stage.



These are just suggestions and detailed planning of the popularisation programme still needs to be carried out.

**TIME FRAMES** - From May 1996 to 30 November 1996

### **RESOURCES**

The Human Resources of the Constitutional Assembly's administration could be used to implement the popularisation programme. The CA administration may need to be restructured to implement this programme. There may also be additional specialised human resource requirements.

The CA administration may be able to draw on financial resources that have not been utilised in the period ending May 1996. In order for this to occur the current period of expenditure will need to be extended. Additional financial resources will also be necessary. A provisional budget of approximately R 20 million would be necessary for the popularisation programme. This figure does not include expenditure on electronic media.

### **MONITORING AND EVALUATION**

The popularisation programme will need to be monitored and evaluated.

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**CONSTITUTIONAL ASSEMBLY**

**CONSTITUTIONAL EDUCATION**

**PROGRAMME**

**WORKING DRAFT PROGRAMME**

**FOR PERIOD**

**JANUARY 8 - FEBRUARY 17 1996**



# **CONSTITUTIONAL EDUCATION PROGRAMME**

## **WORKING DRAFT PROGRAMME FOR PERIOD JANUARY 8 - FEBRUARY 17 1996**

**12 DECEMBER 1995**

---

### **INTRODUCTION**

The Constitutional Education Programme (CEP) had the following objectives:

- To provide constitutional training to Civil Society structures particularly in rural and disadvantaged communities.
- The guiding principles underpinning its activities were:
  - Transparency
  - Credibility
  - Legitimacy
  - Consultation
  - Inclusively

From May 1995 to the end of October 1995 : 794 events were held, 564 organisations were contacted and approximately 50 000 people reached.

### **CONSTITUTIONAL EDUCATION PROGRAMME (CEP) JANUARY 8 - FEBRUARY 17 1996**

The focus of the CEP during the second phase will be to report back to the communities, organisations and structures with which we interfaced during the pre-draft phase. The CEP work during this phase will centre around:

- Popularising the Working Draft and encouraging written comments.
- Workshopping people around different sections of it.
- Encouraging debate around contentions issues within the Working Draft and soliciting comments for input to the Constitutional Committee.

Although the focus of the CEP is predominantly oriented towards rural and disadvantaged communities, in this phase the CEP will also reach some urban areas. While the provincial programmes will vary in scale and orientation, they are all based on common principles. Provincial Co-ordinators may also be requested to run workshops for organisations that are recorded on the CL database.

The projected number of workshops per province:

-	Northern Province	:	72
-	Gauteng	:	44
-	Mpumalanga	:	83
-	Kwa/Natal	:	43
-	North West	:	73
-	Free State	:	62
-	Western Cape	:	42
-	Eastern Cape	:	63
-	Northern Cape	:	39
	<b>Grand Total</b>	<b>:</b>	<b>521</b>

The budget will need to cover the costs of the following:

- Hiring of Halls
- Public Transport
- Public Address System
- Translation and
- Additional

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