

# *Contents*

---

Foreword .....	2
Introduction.....	3
Historical Background.....	4
Political Structures.....	10
Other Structures .....	23
The drafting Process .....	25
The Final Stage .....	28
Translation.....	30
Public Participation .....	31
The Media Department.....	48
Submissions .....	56
Evaluation Results.....	65
The CA Administration.....	83
Financial Report .....	94
Concluding Remarks .....	96

# Foreword

---

*It was John Jay who boasted in 1777 that "Americans are the first people whom heaven has favoured with an opportunity of deliberating upon and choosing the forms of government under which they will live." He went on to say that "all other constitutions have derived their existence from violence or accidental circumstances, and are therefore probably more distant from perfection".*

*I believe that we can be even more boastful because we have a body of men and women whom history has favoured with the noble task of deliberating upon the new constitutional text for our country. We can also boast that we will be executing this task, not through some accidental circumstance, but through a democratic process which will be guided by principles we have already agreed upon and are enshrined in the Constitution.*

*M.C Ramaphosa,  
Chairperson of the Constitutional Assembly,  
15 August 1994*

*Outsiders have watched our negotiating and election processes with admiration. Let us live up to our own standards and once again show the resolve and determination to develop our final Constitution so that all South Africans can realise their hopes and aspirations. Let us commit ourselves to building a Constitution that is inclusive and truly home-grown. Let us once again make South Africa the envy of the world.*

*L. Wessels,  
Deputy Chairperson of the Constitutional Assembly,  
15 August 1994.*

# ***Introduction***

---

It is with a sense of pride and achievement that this second Annual Report is placed before the Constitutional Assembly.

The Constitutional Assembly has delivered on its mandate and produced a new Constitution for South Africa within the two-year period set out in the interim Constitution.

This second Annual Report provides a general view of the constitution-making process as a whole. It does, however, concentrate on developments since the publication of the first Annual Report in May 1995.

# ***Historical Background***

---

THE BIRTH certificate of a nation.

These are the words the Chairperson of the CA, Cyril Ramaphosa, used to describe the new Constitution in his introductory speech to the Constitution of the Republic of South Africa Bill, 1996, on Tuesday 23 April 1996.

His introductory speech also referred to the words of the late Oliver Tambo, one of this country's most outstanding leaders. Tambo, President of the ANC for 23 years, made clear the link between constitution-making and the struggle for bbb democracy in our country when he described the 1983 apartheid constitution with these words from exile in Lusaka, Zambia:

*“The South African Constitution excludes the blacks. They are outside the Constitution. There is nothing they can do about the decisions, the policies of the South African regime. This is not a civil rights struggle at all. If we were part of the Constitution, if we were citizens like any other, then of course there would be rights to fight for, as there are rights to fight for in the United States. But in South Africa, the position is different. Our struggle is basically, essentially, fundamentally a national liberation struggle.”*

*What is a Constitution?  
Centre for Development Studies, 1990: 5*

All South Africans became rightful citizens of their country when they voted on 27 April 1994, electing South Africa's first democratic parliament and entrusting it with the task of sitting as the Constitutional Assembly for the purposes of writing a new Constitution.

The idea of an elected body drawing up a constitution for a democratic South Africa is not new. In 1960 Nelson Mandela wrote to Prime Minister Verwoerd after the All-in Conference in Orlando, Soweto, and called for the establishment of “a sovereign, national convention representative of all South Africans, to draw up a new non-racial and democratic Constitution.” (Long Walk to Freedom, Nelson Mandela, 1994:245-246)

Some 32 years later, then President FW De Klerk, said that “It is because we want to move to fully representative government as soon as possible that we have made the major concession to say let us at CODESA only negotiate a transitional constitution within the framework of which a transitional government can be brought into being soon. And let us leave it to that transitional parliament to draw up a final Constitution.” (Stellenbosch, 9 July 1992)

What De Klerk was outlining was the basis of the agreement reached finally in the Record of Understanding between the ANC and the National Party in 1992. This agreement stated that a constitution-making body should be elected to draft and adopt a new Constitution, bound only by agreed Constitutional Principles and within a fixed time period.

However, it was the Harare Declaration, adopted by the Organisation of African Unity in 1989, which set out the basis for negotiations to end the conflict in South Africa. It was also in this declaration that the idea was mooted of an initial agreement on principles, which would set the parameters for the negotiation of a constitutional dispensation in an elected Constituent Assembly.

Finally, in the early hours of the morning of 18 November 1993, the Multi-Party Negotiations Process agreed to the interim Constitution, which enshrined those principles

and set the deadline. The interim Constitution was passed on 22 December 1993 by the last parliament which functioned under the old order.

The Inkatha Freedom Party, which had walked out of the negotiations process at Kempton Park in Johannesburg, and the Freedom Front, a newly constituted party under the leadership of General Constand Viljoen, later agreed to join the process and participate in the elections on 27 April 1994.

What this brief history of petitions, declarations and agreements does not speak of is the bitter struggle and ongoing violence that runs like a bloody river through the process. It is this which led Professor Kader Asmal to state that the new Constitution "must be a tribute to our history, our wounded, our dead and all our people." (Constitutional Assembly, 24 January 1995)

## ***Party Perspectives***

---

The 34 Constitutional Principles agreed to by parties participating in the Multi-party Negotiations Process at Kempton Park in 1993, and which are enshrined in the interim Constitution, provide the framework for our new Constitution.

Important debates took place in the Constitutional Assembly in 1994 and 1995 which further fleshed out the views of political parties on both the content and process of constitution-making. These debates serve, in hindsight, to illuminate the vision and mission of parties in the CA and set the scene for further debates and developments.

*"I had the honour of participating in the negotiations that produced the interim Constitution. We always knew that our task would be complete only once South Africa had adopted a new Constitution drawn up by men and women freely and democratically elected by all our people. The meeting of this Assembly today is a manifestation of what was a dream for years, a dream which finally came true at the polls in April. It is on the basis of the new Constitution that we will systematically effect fundamental long-term changes. It will be the supreme law to ensure that the ills that have plagued our society do not become the lot of generations to come."*

*Ms B Kgotsile-Mbete, MP, African National Congress, Constitutional Assembly, 15 August 1994.*

*"The Constitution must provide a basis in the years to come for considering a new democratic South Africa, having traversed the present phase of the country's transition. It must embody a collective vision: a vision of peace, stability, prosperity and development, amongst many other characteristics which, together, we must contribute to and imbue in this Constitution."*

*P.J Gordhan, MP, African National Congress, Constitutional Assembly, 15 August 1994.*

*"I have no doubt in my mind that the road ahead will be full of stumbling blocks, but as long as we put South Africa first, and extremism and self-interest in the cupboard, a bright future awaits this country. On the other hand, no constitution is static, but is a dynamic and ongoing process. Therefore the result of our product might serve the needs of the present generation, but could change in years to come. What is therefore important is that we will lay*

*the foundations of this Constitution in such a way that the future generations can build on it, but never again on exclusivity or on the domination of one race group over another."*

*Senator C Ackerman, National Party,  
Constitutional Assembly, 15 August 1994.*

*" We are embarking on what is perhaps the most important process or the most important task that any of us will ever be called upon to do, and that is to actually take part in the drawing up of a new Constitution for South Africa – to decide on the rules and the structures by which South Africa will be governed. What this Constitutional Assembly is going to decide will have a profound impact, not only on the process of government – that is a very abstract process for many people – but on the quality of many people's lives and on the extent of the freedom that our people are going to enjoy."*

*C.W Eglin, MP, Democratic Party,  
Constitutional Assembly, 15 August 1994.*

*"When we draft the new Constitution, the question should be: What is the best Constitution for our country and its people? This is the only guiding principle that the PAC is going to follow in this process."*

*R.K Sizani, MP, Pan Africanist Congress,  
Constitutional Assembly, 24 January 1995.*

*"Ultimately, the Constitution we write for South Africa and the constitutional dispensation we work out for South African, will succeed if it is autochthonous. It must be the product of what is in the hearts and the minds of all South Africans, not only the majority. Sometimes the people say that the majority agrees, but one must take into consideration that it is sometimes the minority that causes problems. However that can be prevented by being accommodating, and accommodating all South Africans in writing a Constitution which in the end we can say is truly a home-grown product, which we have created on our own."*

*Dr C.P Mulder, MP, Freedom Front,  
Constitutional Assembly, 15 August 1994.*

*"We are not talking about something that is fixed, but about a bubble that may burst. It is very wise for us to approach debate – particularly in the Constitutional Assembly – knowing that we have something which might be more fragile than we think and that we must work towards the strengthening of the whole process. The struggle for the domination of true federalism over unitarianism or some or other form of regionalism will now take place in an arena in which for any party the only unlevelled ground on the playing field will be ground that it churns up by its inability to make its own mark. The constitution-making in this House will be a far cry from what is was in Kempton Park."*

*W.S Felgate, MP, Inkatha Freedom Party,  
Constitutional Assembly, 15 August 1994.*

*"We believe that in drafting this new Constitution we must be guided by our deep and firm commitment to a South Africa that is non-racial, non-sexist and democratic. To achieve these goals, we require that these matters do not merely appear in the Constitution, but that in fact a fundamental transformation and democratisation of our society is effected. In order to overcome the legacy, injustices, the divisions, the antagonisms and the oppression of the past, we believe that the Constitution should make it clear that seeking to achieve substantive equal rights and opportunities for those who were discriminated against in the past should not be regarded as a violation of the principles of equality, non-racialism and non-sexism but rather as the fulfilment of these principles. We believe that unless special interventions are made, the patterns of structured advantage and disadvantage created by apartheid and patriarchy will replicate themselves from generation to generation."*

*Deputy President T.M Mbeki, African National Congress, Constitutional Assembly, 24  
January 1995.*

*"One can therefore summarise by saying that the new constitutional text must provide for a modern, democratic, constitutional state. Governmental authority must be exercised in a predictable, responsible and legally regulated way to the satisfaction of civil society. To our minds, the spirit of the Constitution will therefore create the following points of departure - a balanced character of fundamental rights, representation of all relevant interests in the structures of government through a system of multiparty political participation, public accountability by all state structures for all their actions, and a balanced horizontal and vertical division and devolution of powers and functions."*

*Minister R.P Meyer,  
National Party,  
Constitutional Assembly, 24 January 1995.*

*"The drafting of a constitution signals a new era for our people, as thousands sacrificed their lives for freedom, justice and equality. Accordingly, the majority of members assembled here are mindful of the fact that the process we are involved in is a result of decades of struggle by the majority of our people against oppression. Indeed, the balance of forces in this Assembly attests to the truth of this assertion. Our people have voted. They have expressed their will and voted for a better life. We should therefore draft a Constitution which enables our people to realise these goals."*

*B.S Mabandla, MP, African National Congress,  
Constitutional Assembly, 24 January 1995.*

*"The ACDP believes the future of our country will be best secured by a form of government which we should like to refer to as a "constitutional republic" with an entrenched Bill of Rights based on biblical principles. We need to define what we mean by a "constitutional republic" and what the word of God has to say concerning a framework for a godly government. "*

*L.M Green, MP, African Christian Democratic Party, Constitutional Assembly,  
24 January 1995.*

*“ ... a genuinely South African Constitution should have more functions than only that of limiting governmental power. It should have redefining, rewriting, aspirational, facilitating and legitimating functions. It should redefine our society and rewrite the history of our country so as to demonstrate and reflect that South Africa is not a European country which happens to be in Africa, but is an African country. Public institutions and processes should therefore reflect the composition of our society and where power is really located in our own society.”*

*R.K Sizani, MP, Pan Africanist Congress,  
Constitutional Assembly, 15 August 1994.*

*“Let me say that the DP has, for some time, had a clear perspective on the new Constitution. It is that a constitution for South Africa should essentially be liberal, democratic and federal. We have this perspective, this vision, not for any ideological reason, and not because we are committed to political labels – we should be quite happy to abandon the political labels – but because we believe that this kind of constitution is best suited to meeting the needs of our people, and reflecting the realities of our country.”*

*C.W Eglin, MP, Democratic Party,  
Constitutional Assembly, 24 January 1995.*

*“The problem of satisfying the Afrikaner’s desire for self-determination is a very complex matter. The reality of history has left us without any area that is big enough to immediately be a volkstaat without the relocation of Afrikaners which will have to take place over a period of time. In the second place, the principle of Afrikaner self-determination is clear to everyone, but because the Afrikaner is woven into the South African situation the principle can only succeed in the long term if there can be mutual agreement with the rest of the country regarding its implementation. Thirdly, forcefulness and demands are things of the past. Particularly in this complex situation, the political reshuffling which is necessary in order to establish a volkstaat will affect the entire country. In short, a volkstaat is not available off the shelf. It also affects some people’s vision of an undiluted and true self-determination. Naturally, this is and remains the ideal, but the Freedom Front believes that its systematic realisation must occur by means of the process in which we are currently engaged.”*

*Dr CP Mulder, MP, Freedom Front,  
Constitutional Assembly, 24 January 1995.*

*“The ACDP would like to see a Constitution that is the supreme law of the land, a Constitution that protects not only the rights of individuals but also those of unborn children. The ACDP wishes to see a Constitution that will be legitimate, enduring and that upholds biblical, family and traditional values.”*

*Rev K.R Meshoe, MP,  
African Christian Democratic Party, Constitutional Assembly, 24 January 1995.*

*“International mediation cannot be removed from the constitution-making agenda. It is an intrinsic part of the process, and those who believe it is merely a sop to the IFP, a means of duping us to get into the elections, are wrong. It is a solemn pact, not a possible option that could be considered later. That is why*



*we have constantly reminded the ANC and the NP to keep their word. It is our view that they signed an agreement and we would like them to honour it. We do not really appreciate people getting apoplectic every time the word mediation is mentioned and when they are accused of prevarication by the IFP.”*

*P.F Smith, MP, Inkatha Freedom Party,  
Constitutional Assembly, 24 January 1995.*

*“Our people did not give their lives in exchange for the mere freedom to walk the streets relatively unharrassed, nor to suffer continued deprivation while the architects of the old rules lived in splendour ... we have won the debate on whether economic and social rights should or should not be included in the Constitution ... what we need to do is work out how far the new and relevant rights should go ... is it practical or ethical that a child’s right to nutrition can be secured while the mother and father starve? Can the child’s right to nutrition be realised in the absence of the right to water? Can the ultimate aim of nutrition, good health, be assured if a child has a full stomach but has no home to live in? Can we realistically expect that a homeless child have a full stomach?”*

*Minister K Asmal, African National Congress,  
Constitutional Assembly, 24 January 1995.*

# ***Political Structures***

---

## ***Theme Committees***

---

*“These Theme Committees are vehicles for both public participation and the participation of party-political groups and interest groups. As we have said, in the first instance they will be the recipients of contesting and divergent views on various subjects. It will be their task to isolate these views, to find common ground where that is possible and to process key issues ...”*

*PJ Gordhan, MP, African National Congress, Constitutional Assembly, 5 September 1994.*

In order to effectively deal with the wide variety of issues to be covered in the new Constitution, and to ensure the involvement of as many members of the Constitutional Assembly as possible, Theme Committees were set up to work on different parts of the Constitution.

Each Theme Committee consisted of 30 members who were nominated by their political parties according to a system of proportional representation. Three chairpersons were elected for each committee by its members. Together with a core group of seven to eight members of the committee, the chairpersons were responsible for managing and co-ordinating the work of the Theme Committee.

Theme Committees were tasked with receiving and processing the views of political parties and the broader community and compiling reports for discussion in the Constitutional Committee. A Technical Committee of four advisors was appointed for each Theme Committee to give technical advice and assist in compiling reports. Some Theme Committees were assigned additional technical advisors because of the broad scope of their work.

Theme Committees started work in September 1994. Their first major task was to draw up work programmes to ensure that work was completed timeously. These programmes were finalised by the Constitutional Committee in December 1994. A target date of 30 June 1995 was set for Theme Committees to complete their assignments.

By 13 February 1995, a mere six weeks after the annual December recess, the first Theme Committee reports were received. Theme Committees completed most of their work by the end of June as planned. The final reports from Theme Committees were presented to the Constitutional Assembly in September 1995. Theme Committee reports to the Constitutional Assembly were accompanied by draft constitutional text after revised drafting procedures were agreed to by the Constitutional Assembly.

## **Theme Committee 1**

---

Theme Committee 1 dealt with the Character of the Democratic State and was mandated to discuss the following issues:

- Preamble to the Constitution
- Matters dealing with the establishment of a single sovereign state, common citizenship, democracy and equality (Constitutional Principle I)
- Supremacy of the Constitution, binding on all organs of state (Constitutional Principle IV)
- Matters dealing with representative government, regular elections, suffrage and proportional representation (Constitutional Principle VIII)
- Matters dealing with freedom of information and accountable administration (Constitutional Principle IX)
- Name and description of State and symbols
- Citizenship and franchise
- Matters dealing with the separation of powers (Constitutional Principle VI)

Chairpersons: Mahlangu NJ (ANC); Marais PG (NP); Mtshali LPHM (IFP)

Members: Ally A (alt); Booie MS; Cassim MF (alt); Chiba L (alt); Chikane MM; Chiwayo LLL (alt); Cwele CS (alt); De Lille P (alt); Dyani MM; Fani LM (alt); Ferreira ET (alt); Ginwala F; Goosen AD (alt); Green LM (alt); Gumede DM; Hangana NE; Janse Van Rensburg AP; Kekana NN; Kuzwayo NEK (alt); Lamani NE; Lekgoro MK; Mabuza MC (alt); Macozoma SJ; Majola-Pikoli NT; Marais A; Meshoe KR; Mngomezulu PG; Mokaba P; Momberg JH; Moorcroft EK; Msane T (alt); Msomi M; Mukhuba TT (alt); Mulder PWA; Ncube BS; Niehaus CG; Nobunga BJ (alt); Nzimande BE; Ripinga SS; Routledge NC; Schoeman EA; Seaton S; Selfe J; Serote MW (alt); Shope G (alt); Shope NR; Sisulu AN; Smith P; Streicher DM; Swanepoel L; Tshivase TJ; Van Deventer FJ; Van Schalkwyk MCJ; Van Zyl ID; Vilakazi BH; Viljoen CL; Williams AJ; Zondi MK;

Technical Committee: Prof HM Corder; Dr CJ Heunis; Mr Z Hussain; Prof C Dlamini

Staff: Leola Ramble, Managing Secretary; Susan Rabinowitz, Minute Secretary; Aziza Parker, Administrative Secretary

Theme Committee 1 held 56 meetings from 19 September to 11 September 1995 and processed 3 000 submissions. Six orientation workshops were held to facilitate submissions of parties on various issues dealt with by the Theme Committee.

Public hearings were held on:

- Seat of government, languages, name and symbols
- Secular state
- Equality and affirmative action
- Character of the state

## **Theme Committee 2**

---

Theme Committee 2 dealt with the Structure of Government and was mandated to discuss the following issues:

- Matters dealing with the separation of powers (Constitutional Principle VI)
- Adherence to formal legislative procedures by legislative organs (Constitutional Principle X)
- Participation of minority parties in the legislative process in a manner that is consistent with democracy (Constitutional Principle XIV)
- Amendments to the Constitution require special procedures involving special majorities (Constitutional Principle XV)
- Structure of government at national, provincial and local levels (Constitutional Principle XVI)
- Democratic representation at every level of government without derogating from the role of chieftanship (Constitutional Principle XVII)
- National Assembly, the Senate and Parliament in general
- The Electoral system
- Matters dealing with the constitutional status and role of traditional leadership (Constitutional Principles XIII)
- Traditional leaders
- The Executive

Chairpersons: Mahlangu MJ (ANC); Ndlovu VB (IFP); Rabie JA (NP)

Members: Ackerman C; Andrew KM (alt); Badenhorst MJ; Bhengu G (alt); Beyers AS; Bester BC (alt); Biyela BP (alt); Dexter P (alt); Diale N; Doidge GQ; Ebrahim AG; Eglin CW; Forster JA; Groenewald PH; Holomisa SP; Hendrickse PAC; Jana DPS (alt); Lebona HJP (alt); Ligege MG; Louw SK; Lucas E (alt); Mabhudafhasi RT; Maduna P; Mahlangu JL (alt); Mars I; Marshoff FB; Mashile NL (alt); Mlangeni A; Moloto CP (alt); Mohlamonyane GM; Mothoagae PK; Msomi M; Mti LM (alt); Mulder C; Mushwana GM; Mutsila I; Mwedamutsu MJ; Nxumalo SD; Odendaal WA (alt); Olifant DAA; Pahad EGH; Phakathi NE; Ramusi MC; Ranchod B; Sekgobela PS; Selfe J (alt); Setheema BEE; Shabangu S; Sizani RK (alt); Steenkamp PJ; Taunyane DP; Tolo LJ; Tyobeka V; Wyngaard CA

Technical Committee: Prof D Van Wyk; Dr W Seriti; Adv AMM Motimele; Prof N Steytler

On Traditional Leaders: Prof T Nhlapo; Ms T Madonsela; Prof RB Mqoke

On Self-determination: Prof HM Corder; Prof AWG Raath; Prof W Breytenbach

Staff: James Nene, Managing Secretary; Thomas Smit, Minute Secretary; Charmaine Fredericks, Administrative Secretary

Theme Committee 2 held 61 meetings between 19 September 1994 and 11 September 1995 and processed 1295 submissions. Six orientation workshops were held for Theme Committee members. A public hearing on traditional authorities and customary law was held on 12 – 13 May 1995 in conjunction with Theme Committee 5.

## **Theme Committee 3**

---

Theme Committee 3 dealt with the Relationship between Levels of Government, and was mandated to discuss the following issues with regard to Constitutional Principles XVI, XVII and XXIV:

- Nature and status of the provincial system and local government
- National and provincial executive and legislative competencies
- Intergovernmental relations
- Local government
- Financial and fiscal relations

Chairpersons: Andrew KM (DP); de Lille P (PAC); Du Toit DC (ANC); King TJ (NP)

Members: Abraham M (alt); Albertyn JT (alt); Appelgryn MS (alt); Bhabha M; Blaas A; Carrim YI; Chuenyane LD (alt); Coetzee MP; Cronje PC; Dingani ZA (alt); Dyani MMZ (alt); Eglin CW (alt); Farisani TS (alt); Geldenhuys BL; Golding MJ (alt); Goosen AD (alt); Gordhan PJ; Gous PJ (alt); Groenewald PJ; Gxowa NB (alt); Khasu MJ (alt); Khobe ON; Kondlo N (alt); Koornhof GW; Kota ZA; Lamani NE (alt); Leeuw SJ (alt); Loots HG (alt); Losabe LK (alt); Mabude NI (alt); Mahlalela AF; Mahlangu SJ (alt); Maine MS (alt); Malebo SM (alt); Manie MS ; Mapisa-Nqakula NN; Marais G (alt); Maree JW; Mashamba HJ; Mathews VJ (alt); Mayimele HW (alt); Mchunu ES (alt); Modisenyane LJ; Mongwaketse SJ (alt); Montsitsi SD; Moosa MV (alt); Mukhuba TT (alt); Nzimande BM (alt); Peires JB (alt); Peters ED (alt); Rabinowitz R; Rajoo K (alt); Richards I (alt); Saaiman PW (alt); Seperepere MS; Shandu EEN; Sisulu MV (alt); Smith PF; Sulliman MA (alt); Tsenoli SL (alt); Verwoerd M; Vilakazi M

Technical Committee: Prof D Basson; Prof D Davis; Prof B Majola; Prof F Venter

On Local Government: A Boraine; A Cornelissen; B Moseley

Staff: Mbaso Mxenge, Managing Secretary; Sandra Haydon, Minute Secretary; Vanessa Calvert and Beverline Thomas, Administrative Secretaries

Theme Committee 3 held 50 meetings between 19 September 1994 and 28 August 1995 and processed 471 submissions from political parties, government departments, organisations and individuals. Eight orientation workshops were held for Theme Committee members.

A public hearing on Local Government was held on 14 August 1995.

## ***Theme Committee 4***

---

Theme Committee 4 dealt with Fundamental Rights. The mandate and work of the committee was guided by Constitutional Principle II which states:

“Everyone shall enjoy all universally accepted fundamental rights, freedoms and civil liberties, which shall be provided for and protected by entrenched and justiciable provisions in the Constitution, which shall be drafted after having given due consideration to inter alia the fundamental rights contained in Chapter Three of the Constitution.”

The Committee drafted a work programme which identified the following agenda items as a basis for discussion:

- Constitutional Principle II
- Nature of Bill of Rights and application
- Human Dignity
- Privacy
- Servitude and Forced Labour
- Freedom and Security of the person
- Freedom of Expression
- Access to Information
- Freedom of Religion, Belief and Opinion
- Freedom of Association
- Life
- Equality
- Socio-economic Rights
- Property
- Education
- Environment
- Economic activity
- Labour relations
- Freedom of Language and Culture
- Other socio-economic rights
- Reproductive Rights
- Political Rights
- Citizens’ Rights
- Freedom of Movement
- Freedom of Residence
- Freedom of Demonstration and Petition
- Children’s Rights
- Administrative Justice
- Access to Courts
- Detained, arrested and accused persons
- Limitation of Rights
- States of Emergency and suspension of rights
- Interpretation of Bill of Rights

Chairpersons: AJ Leon (DP); MMS Mdlalalana (ANC); GB Myburgh (NP)

Members: Asmal K; Bakker D; Cachalia IM; Camerer S; Chalmers J; Coleman M; Dlamini BO; Ebrahim G (alt); Fenyane SLE; Gamdanda T; Gasa XF (alt); Govender D; Govender P (alt); Kgoali JL; Lubidla EN (alt); Mabandla BS; Mashamba TGG; Masher MG (alt); Mathebe P; Mbuyazi LR (alt); Meshoe KR (alt); Mfayela SB (alt); Mfebe MW (alt); Mncwango MA; Mohamed IJ (alt); Molekane RS; Mulder CP; Myakayka-Manzini YL; Njobe MAA (alt); Ntuli MIB; Pandor GNM; Phenethi MM (alt); Piliso MM; Radue RJ; Rasmeni SM; Ranchod B; Rhoda RT; Saloojee E; Sizani RK; Skosana BM; Smuts D (alt);

Solomon G; Sosibo JE; Surty ME; Thabethe E; Thompson B; Tshivhase TJ; Tyobeka VM; Viljoen V; Vos SC; Werth CH (alt); Xingwana LM (alt)

Technical Committee: Prof H Cheadle; Prof J Dugard; Ms S Liebenberg; Prof I Rautenbach

Staff: John Tsalamandris, Managing Secretary; Zuleiga Adams, Minute Secretary; Pamela Crowley, Administrative Secretary

Theme Committee 4 held 32 meetings from 19 September 1994 to 14 August 1995. This Theme Committee received the bulk of submissions from the public and had processed 5 634 submissions by 30 June 1995. After the Theme Committee had completed its work, another 1 360 submissions were received.

12 000 petitions were received by the committee.

A workshop on Human Rights and International Law was held in April 1995, organised jointly by the CA, Parliament and the Raoul Wallenberg Institute from Sweden. Members also attended workshops on gender, pornography, abortion and freedom of expression organised by various organisations such as the University of the Western Cape Community Law Centre, the Institute for Multi-Party Democracy and the Freedom of Expression Institute.

A number of national sector public hearings were also attended by members of the Theme Committee. The sectors involved were:

- Children's rights
- Labour
- Women
- Religion
- Traditional Authorities
- Youth
- Business
- Land
- Socio-economic rights

By the end of the process, Theme Committee 4 had presented 33 reports and explanatory memoranda and a draft Bill of Rights which was tabled at the Sub-Committee of the Constitutional Committee on 9 and 10 October 1995.

## **Theme Committee 5**

---

Theme Committee 5 dealt with the Judiciary and Legal Systems, and dealt with the following issues with regard to Constitutional Principles VII and XIII:

- The structure of the court system
- The relationship between the different levels of courts
- The composition and appointment of judicial officers
- Access to courts, including lay participation
- Traditional courts and customary law
- Legal education and profession
- Transitional arrangements
- Correctional services
- International law and interpretation
- Attorneys-General

Chairpersons: WA Hofmeyr (ANC); D Schutte (NP); J Van Der Merwe (IFP)

Members: Bruwer A (alt); Dalling DJ; De Lange J; De Ville R; Ebrahim AG; Fredericks GA; Fisher SD; Gandhi E; Gibson DHM; Groenewald RH; Grove SP; Jana DP; Jiyane ZB(alt); Jassat EE; Khasu MJ; Leon AJ (alt); Le Roux JW (alt); Mahlangu GL; Matthee PA; Mathews VJG; Mdutyana SNN; Mgidi JS; Mkhathswa S; Moeti SE; Mogale MPE (alt); Moosa MW; Mushwana ML (alt); Mzizi M; Naidoo AGV (alt); Nel AC; Ngcuka B; Ngwane L; Ntsizi TC (alt); Omar D (alt); Saloojee RAM; Singh L (alt); Singh N (alt); Sonjica BP; Van Heerden F

Technical Committee: P Benjamin; Judge PJJ Olivier; L Gcabashe; Adv J Gauntlett

Staff: Noel Taft, Managing Secretary; Eunice Van Eck, Minute Secretary; Beverline Thomas, Administrative Secretary

Theme Committee 5 held 31 meetings between 19 September 1994 and 14 August 1995 and processed 477 submissions, most of which were received from organised civil society. In all, 14 public hearings were held with a wide variety of roleplayers between 1 February and 26 July 1995.

## **Theme Committee 6**

---

Theme Committee 6 dealt with Specialised Structures of Government. Given the expanse of its work, the Theme Committee decided to establish four Sub-Theme Committees for convenience and expediency's sake:

- Sub-Theme Committee 6.1 dealt with Public Administration (Constitutional Principles XXIX, XXX)
- Sub-Theme Committee 6.2 dealt with Financial Institutions and Public Enterprises (Constitutional Principle XXIX)
- Sub-Theme Committee 6.3 dealt with Transformation and Monitoring (Constitutional Principle XXIX)
- Sub-Theme Committee 6.4 dealt with Security Services (Constitutional Principle XXXI)

The Chairpersons of Theme Committee 6 were: S De Beer (NP); Ms B Mbete-Kgositsile (ANC); P Powell (IFP)

The Theme Committee also resolved for the sake of the smaller parties to allow each party to nominate additional members to serve in the Sub-Theme Committees.



The Theme Committee itself held 8 meetings.

Members: Alant TG; Balie A; Bekker HJ (alt); Bloem D (alt); Booie MS (alt); Botha WJ (alt); Camerer S (alt); Chabane OC (alt); Chirole J (alt); Davies RH; De Lille P; Dexter PD; Dayni MMZ; Ebrahim EI (alt); Erwin A; Fankomo FC; Fenyane SLE; Fihla NB (alt); Gasa FX; Gcina C; Gibson DHM (alt); George ME; Gogotya NJ; Groenewald PJ; Hani L (alt); Hlengwa MW; Jacobsz FP; Jordaan JA; Kgauwe QJ (alt); Khoza TS (alt); Louw L (alt); Love JY; Luthuli Inkosi BN; Mabhdufhasi J (alt); Makana SS (alt); Makgothi HG ; Malan TJ (alt); Malatsi DM; Malumise M (alt); Marais G; Mashimbye JN (alt); Mduyana SNN; Mwayi ZW; Mlambo-Ngcuka PG; Moatshe P; Mokitlane MC; Mokoena ML; Molekane RS (alt); Mompoti RS; Motshabi CH (alt); Mpahlwa MB (alt); Mtintso TE; Mti LM; Mufamadi FS; Naidoo J; Nair B; Neerahoo HM; Netshimbupfe MA; Ngubane BS; Ngubane H; Nhlanhla JM; Nogumla RZ (alt); Phillips Im (alt); Schreiner J; Scott MI (alt); Selfe J; Singh N; Sisulu L; Skweyiya ZST (alt); Smuts M; Sosibo JE (alt); Tshabalala ME (alt); Turok ME (alt); Vadi I; Van Eck J (alt); Vos SC; Watson A; Welgemoed PJ; Woods GG; Yengeni T (alt); Zitha DA

## ***Theme Committee 6.1***

---

Theme Committee 6.1 dealt with Public Administration and the Electoral Commission.

Chairperson: I Vadi (ANC)

Members: Alant TG; Booie MS (alt); Chirole J; De Beer SJ; Dexter PD; Fankomo FC; George M (alt); Gogotya NJ; Hlengwa MW; Jordaan JA; Khoza TS (alt); Love JY; Malatsi DM; Mkwai ZW; Mlambo-Ngcuka PG; Mokitlane MC; Neerahoo HM; Ngubane BS; Singh N; Skweyiya ZST (alt); Smuts D; Tshabalala ME (alt); Watson A; Ebrahim EI; Pretorius IJ; Sikakane MR

Technical Committee on

Public Administration: Prof P Van Der Merwe; Ms L Nyembe

Technical Committee on

Electoral Commission: Ms D Pillay; Mr A Tredoux; Mr P Harris

Staff: Nkateko Nyoka, Managing Secretary; Saaliegah Zardad, Minute Secretary; Penny Carelse, Administrative Secretary.

Theme Committee 6.1 held 24 meetings between 24 October 1994 and 1 August 1995 and processed 159 submissions. 13 public hearings were held from 25 January to 1 June 1995. The committee participated in workshops on public administration with a number of international experts from the United Kingdom, United States of America, France, Netherlands, Namibia, Mozambique, Tanzania. Workshops on the electoral commission engaged experts from Kenya and Zambia.

## ***Theme Committee 6.2***

---

Theme Committee 6.2 dealt with the Auditor General, Reserve Bank, Financial and Fiscal Commission and General Financial Matters.

Chairperson: RH Davies (ANC)

Members: Andrew KM; Bekker H; Botha WJ; Chirole J; Erwin A; Hogan B; Jacobsz F; Jordaan WA; Makgothi H; Marais G; Marcus G; Nair B; Sisulu M; Welgemoed P; Woods G

Technical Committee: N Morrison; C Rustonjee

Staff: Nkateko Nyoka, Managing Secretary; Patricia Fahrenfort, Minute

Secretary; Agness Murubata, Administrative Secretary

Theme Committee 6.2 held 28 meetings from 24 January 1995 to 5 September 1995 and processed 96 submissions. Nine public hearings and seminars were held, engaging all major stakeholders in the financial sector.

### ***Theme Committee 6.3***

---

Theme Committee 6.3 dealt with the Public Protector, Human Rights Commission, Commission for Gender Equality and Land Rights.

Chairperson: Ms B Mbete-Kgositsile (ANC)

Members: Balie A; Botha WJ; Camerer S; Fenyane SLE; Gasa FX; George M; Jacobsz F; Louw L; Luthuli BN; Malan TJ; Mdutyana SN; Moatshe P; Mokoena LM; Moorcroft EK; Mompoti R; Netshimbupfe MA; Ngubane H; Ngubane BH; Nkadimeng JK; Ngwemesha KW; Sefe J; Smuts D; Tshabalala ME; Turok M; Van Wyk A; Van Zyl ID; Vos SC; Zitha DA

Technical Committee on Public Protector, Human Rights Commission and Commission for Gender Equality: Dr C Albertyn; Prof R Erwee

Technical Committee on

Land Rights: Dr A Gildenhys; Ms A Claassens; Dr F Njobe

Staff: Nkateko Nyoka, Managing Secretary; Bronwen Levy, Minute Secretary; Penny Carelse, Administrative Secretary

Theme Committee 6.3 held 29 meetings between 24 October 1994 and 11 September 1995 and processed 200 submissions. Eight seminars were held dealing with the Commission for Gender Equality, Public Protector, Human Rights Commission and Commission for Land Restitution. The Theme Committee also attended national sector hearings dealing with National Machinery for the Advancement of Women and Land Rights. Representatives from over 150 organisations attended the last-mentioned workshops. Speakers from the Australian Law Reform Commission, Zambia, University of Saskatchewan in Canada, and the Maori Land Court in New Zealand also attended these workshops.

### ***Theme Committee 6.4***

---

Theme Committee 6.4 dealt with the Security Services and dealt with the following areas:

- Police
- Defence
- Intelligence
- Correctional Services

Chairperson: Ms J Schreiner (ANC)

Members: Alant TG; Appelgryn MS; Bloem D (alt); Booi N (alt); Breytenbach WN; Chabane OC (alt); Chiole J (alt); Dyani MMZ; Ebrahim EI (alt); Ellis M; Fihla NB (alt); Gibson D (alt); Gogotya NJ; Groenewald PJ; Hani L (alt); Jordaan JA; Kgauwe QJ (alt); Louw L (alt); Mabudafhasi J (alt); Makana S (alt); Malan TJ (alt); Malumise M (alt); Marais JA; Mashimbye JN (alt); Molekane RS (alt); Motshabi C (alt); Mpahlwa MB (alt); Mtintso TE; Mti LM; Neerahoo HM; Nhlanhla JM; Nogumla R (alt); Phillips IM (alt); Powell P; Scott MI (alt); Sefe J; Sisulu L; Sosibo J (alt); Van Eck J (alt); Waugh JCN; Yengeni T (alt)

Technical Committee: A Cachalia; Prof A Seegers

Staff: Nkateko Nyoka, Managing Secretary; Katharine McKenzie, Minute

Secretary; Agness Mrubata, Administrative Secretary

Theme Committee 6.4 held 29 meetings from 24 October 1994 to 8 August 1995 and processed 191 submissions. Five workshops were held dealing with correctional services, security services, police service, defence and intelligence services. While no public hearings were held by the Theme Committee, members of the committee did attend constitutional public meetings and national sector hearings hosted by the Constitutional Assembly.

### **Sub-Committee**

A smaller, permanent Sub-Committee of the Constitutional Committee was set up in June 1995 to facilitate negotiation between political parties. This proved to be an extremely effective structure because of its size and ability to meet frequently.

The Sub-Committee was not a decision-making structure and reported directly to the

### **Constitutional Committee.**

The permanent members of the Sub-Committee are:

Ramaphosa MC (Chairperson); Wessels L (Deputy Chairperson); Green L; Meshoe KR (alt); Moosa MV; Myakayaka-Manzini M; Chabane OC; Eglin C; Andrew K (alt); Mulder C; Groenewald P; Meyer R; Marais PG; De Beer S (alt); Van Breda A (alt); Rabie J (alt); King T (alt); Sizani R; De Lille P (alt)

Parties also nominated additional members who served on the Sub-Committee from time to time to deal with specialised matters.

While the Constitutional Committee was mandated by the Constitutional Assembly to negotiate the constitutional text, it was felt that it would be more efficient to allow negotiations to be carried out in the Sub-Committee of the Constitutional Committee. This decision improved the efficiency of the Constitutional Committee because it was not practical to process the entire draft in one structure of 44 members.

The Sub-Committee at any one point in time consisted of about 20 members and was therefore able to meet more regularly and easily than the Constitutional Committee. The further advantage of the Sub-Committee was that it could meet at the same time as the National Assembly without affecting the quorum of those meetings.

A unique feature of the Sub-Committee was that its membership was dependent on the issue that was at hand. This allowed members of the various Theme Committees to attend its meetings. The establishment of the Sub-Committee greatly facilitated parties finding agreement with each other. The result was that the Constitutional Committee could meet less frequently and attend to the reports produced by the Sub-Committee.

A team of staff members from the Secretariat Department of the Administration provided back-up to the Sub-Committee. Lucille Meyer, the Head of Department, co-ordinated agendas and production of documentation while Katharine McKenzie, Margaret Keegan, Susan Rabinowitz and Thomas Smit minuted meetings of the Sub-Committee. Laetitia Meter was Administrative Secretary.

### **Constitutional Committee**

The Constitutional Committee is the main negotiating and co-ordinating structure reporting

directly to the Constitutional Assembly. It consists of 44 members, appointed by parties on a proportional basis.

The Constitutional Committee met at first on a weekly basis to receive reports from Theme Committees. It met less frequently after the establishment of the Sub-Committee, but continued to function as an important decision-making structure.

Members:

Ramaphosa MC (Chairperson); Wessels L (Deputy Chairperson); Ackermann C; Andrew KM (alt); Asmal K; Bhabha M; Camerer S (alt); Chabane OC; Dalling D (alt); De Beer SJ (alt); De Lange JH; de Lille P (alt); Du Toit DC; Eglin C; Fourie A; Fraser-Moleketi GJ; Ginwala FN; Gogotya NJ; Gordhan PJ; Green LM (alt); Groenewald PJ (alt); Hofmeyr WA; Holomisa SP; Kgoali JL; Kgositsile B; King TJ; Landers L (alt); Ligege MG; Lockey D; Love J; Mabandla BS; Maduna PC (alt); Maharaj M (alt); Mahlangu MJ; Mahlangu NJ; Makhanya DW; Malatsi DM (alt); Mapisa-Nqakula NN(alt); Marais PG; Maree JW (alt); Mdladlana S (alt); Meshoe KR; Meyer RP; Moosa MV; Moosa MW (alt); Mti LM 9alt); Mtshali LPHM; Mulder CP; Mulder PWA (alt); Myakayaka-Manzini YLM ; Mzimela S; Ngcuka BT; Nzimande BE; Omar D (alt); Pahad EG; Pandor GNM; Rabie JA; Rabinowitz R; Ripinga SS; Routledge-Madlala NN (alt); Schoeman SJ (alt); Schreiner J (alt); Schutte DPA; Seaton SA (alt); Serote WM (alt); Sisulu L (alt); Sifora TV ; Sizani RK; Skweyiya Z (alt); Smith PF; Steenkamp PJ (alt); Surty ME (alt); Suttner RS; Swanepoel LJ (alt); Vadi I (alt); Van Breda A; Van Deventer FJ; Van Heerden FJ (alt); Viljoen CL

Staff: Margaret Keegan, Minute Secretary; Laetitita Meter, Administrative Secretary

## ***Constitutional Assembly***

---

The Constitutional Assembly consists of 490 members of the National Assembly and Senate. It met in full plenary session on five occasions in 1994, four times in 1995 and on 29 March 1996.

The 490 members of the Constitutional Assembly represent seven political parties proportionally in accordance with the results of the 1994 elections.

PARTY	MEMBERS	LEADER
African National Congress	312	Nelson Mandela (ANC)
National Party	99	FW De Klerk (NP)
Inkatha Freedom Party	48	Mangosuthu Buthelezi
Freedom Front	14	Constand Viljoen (FF)
Democratic Party	10	Tony Leon (DP)
Pan Africanist Congress	5	Clarence Makhwetu
African Christian Democratic Party	2	Kenneth Meshoe

The meeting of the Constitutional Assembly on 29 March 1996 dealt with two important issues:

- Amendment of the interim Constitution to allow the Constitutional Assembly to refer to the Independent Panel of Constitutional Experts after 8 May 1996
- Agreement on procedures for adoption of the new Constitution

## ***Amendment of the interim Constitution***

---

The amendment of the interim Constitution was needed to ensure that the Constitutional Assembly would be able to refer to the Independent Panel of Constitutional Experts if necessary, after 8 May 1996.

Before it was amended, the interim Constitution provided in section 73(3) that the Chairperson of the Constitutional Assembly would refer a draft text to the Panel if the draft had not received a two-thirds majority vote, but was supported by at least 50% of the members of the Constitutional Assembly.

The Panel would then be required to come up with amendments within 30 days. The new draft would again be put to the Constitutional Assembly to see it was supported by two-thirds of all its members. However, this all had to happen within the two years given to the Constitutional Assembly to complete its work.

Early in 1996, political parties became concerned that time was running out. They were determined to finish the Constitution by 8 May 1996 but did not want to lose the chance of referring to the Panel as an important deadlock-breaking mechanism if the need arose, on or after 8 May 1996. So it was agreed to amend the interim Constitution to allow this to happen.

## ***Adoption Procedures***

---

Before they were changed, the Rules of the Constitutional Assembly had an elaborate procedure for adopting the new Constitution. This procedure had been used for passing legislation in Parliament at one time, but was changed in 1987.

The new adoption procedures, agreed to by the Constitutional Assembly on 29 March, provides a more streamlined approach and consist of three stages:

- In the 1st stage, called the First Reading Stage, the new Constitution is put before the Constitutional Assembly in the form of a Bill and introduced by the Chairperson. One member of each political party makes a statement and debate then takes place.
- The 2nd stage is called the Committee Stage. During this stage, the Constitutional Committee discusses any proposed amendments to the Constitution. The Constitutional Committee will make whatever amendments it may agree to and prepare a report for the Constitutional Assembly.
- In the 3rd Stage, called the Second Reading Stage, the Constitutional Assembly will finally vote on the new Constitution. Under the interim Constitution, a two-thirds majority is required to adopt the new Constitution. Provisions dealing with powers, functions and boundaries of the provinces also need the support of two-thirds of the members of the Senate.

These new adoption procedures are a great innovation and more suited to the process of constitution-making that has taken place.

## ***Management Committee***

---

The 12-member Management Committee met on a regular basis, once a week, throughout the process. It was established in 1994, replacing the old Steering Committee which had completed much of the conceptualisation of the constitution-making process before it was

disbanded.

The Management Committee is charged with the day-to-day management of the process and deals with matters of process rather than the substance or content of the new Constitution. One of the major responsibilities has been to ensure that the Constitutional Assembly works according to an agreed schedule.

Time-keeping, while not as glamorous as some of the areas of political debate, has been an essential ingredient in the Constitutional Assembly's recipe for success. Confronted with the hard reality of a two-year deadline, it was clear that unless we worked according to plan, the Constitution would not be complete by 8 May 1996.

It is to the credit of the Management Committee and all players in the process, that the Constitutional Assembly has met all target dates it has set itself and is meeting the final deadline of 8 May 1996.

## ***Other Structures***

---

### ***Independent Panel of Constitutional Experts***

The Constitutional Assembly established an Independent Panel of Constitutional Experts in terms of section 72 of the interim Constitution.

Their primary role is that of conflict resolution in order to avoid deadlocks or potential deadlocks between parties. The interim Constitution has been amended to allow the Constitutional Assembly to refer to the Panel on or after 8 May 1996 if the need arises.

The other functions of the Panel are to advise the Constitutional Assembly through the Chairperson on any matter dealing with the functions of the Constitutional Assembly.

Members: Prof MG Erasmus; Prof J Kruger; MP Sedibe-Ncholo; Adv I Semanya; Prof J Van Der Westhuizen; Adv Z Yacoob and Prof C Murray.

In November 1996, the Panel undertook a trip to Europe to attend workshops in Britain and Germany to exchange ideas with international experts on technical issues in the new Constitution.

The workshop in Britain was hosted by Prof Jeffrey Jowel QC and the Commonwealth Secretariat. It was attended by participants from Botswana, India, United States of America, Germany, Hong Kong, Australia, Canada and Zimbabwe.

The workshops in Germany were hosted by the Frederick Naumann Foundation in Bonn and focussed on the German system and its possible relevance for the current process.

### ***Commission on Provincial Government***

---

A Commission on Provincial Government was established by Government after the April 1994 elections, in accordance with section 163 of the interim Constitution. Its main task has been to bring about the establishment of provincial government in terms of the new arrangements as outlined in the Constitution.

This Commission also had the important function of advising the Constitutional Assembly on provisions in the new Constitution on boundaries, structures, powers, functions and transitional measures for the provinces.

Members of the Commission regularly attended meetings of Constitutional Assembly structures. The final Report and recommendations from the Commission were received in February 1996 in response to the Working Draft of the new Constitution published in November 1995.

This Report covered the following areas of the new Constitution:

- Council of Provinces/Senate
- Provinces
- Provincial and National Legislative and Executive Competences
- Local Government
- Traditional Authorities
- Public Administration
- Amendments to the Constitution

- Intergovernmental Executive Relations
- General and Transitional Matters

## ***Volkstaat Council***

---

The Volkstaat Council is a body set up by Government in terms of Chapter 11A of the interim Constitution to enable proponents of the idea of a Volkstaat to pursue constitutionally the establishment of a Volkstaat. The Council has the task of gathering information and reporting to the Constitutional Assembly and the Commission on Provincial Government.

The Chairperson of the Volkstaat Council, Prof Johan Wingard, held several meetings with the Chairperson of the Constitutional Assembly and addressed the Sub-Committee on their submission on self-determination on 27 February 1996.

The final Report from the Volkstaat Council to the Constitutional Assembly was received in January 1996 in the form of comments on the 3rd Edition of the Working Draft. The Council produced a further discussion document on Self-determination and the Working Draft of the New Constitution, for its presentation to the Sub-Committee on 27 February 1996.



# ***The drafting Process***

---

The drafting process in the Constitutional Assembly proceeded from the strict premise that it should reflect the agreed political process. Drafting therefore involved the translation of political decisions into legal language.

The Constitutional Committee, as the main negotiating body below the Constitutional Assembly, directed and co-ordinated all drafting of constitutional text.

## ***Guidelines***

---

The Independent Panel of Constitutional Experts provided important guidelines to the Constitutional Assembly in May 1995. According to these guidelines, it is not necessary to include every aspect of the constitutional order in the Constitution. This is important, bearing in mind that Constitutional Principle 15 stipulates that the Constitution will be more difficult to amend than ordinary legislation.

A well-balanced constitution will contain all those constitutional essentials, such as principles, instruments, powers, checks and balances, which will ensure effective democratic government and a true constitutional state.

The Panel suggested that the following questions could serve as guidelines as to whether a particular right or institution should be included in the Constitution:

- Does the implementation of democracy and the constitutional state, based on the values recognised in the Constitution, require its inclusion, either as an institutional necessity, or in view of the country's history and needs?
- Is it necessary for effective and democratic government?
- Is it necessary in order to address a vital constitutional agreement reflected in a Constitutional Principle?
- Would it be conducive to an integrated approach, in other words, is it not sufficiently dealt with or likely to be dealt with elsewhere in the Constitution?

## ***Aspects***

---

There are broadly two aspects to the process of drafting the final text of the new Constitution:

- translating the political agreements into legal language and ensuring political, legal, constitutional and grammatical cohesiveness in the text as a whole;
- ensuring compliance of the text with the Constitutional Principles contained in Schedule 4 of the interim Constitution.

## ***Drafting Stages***

---

The stages of drafting were as follows:-

Each Theme Committee had attached to it a Technical Committee of advisors. These advisors assisted in providing the expert advice necessary for the political parties to reach agreement.

At the conclusion of the work of each Theme Committee, the advisors on the instructions of the political parties drafted a report. In most instances, these reports included a set of formulations which articulated these agreements.

Each report was then processed by the Constitutional Committee and consolidated into the first edition of the Working Draft. The importance of this process is that it ensured political consistency of the different drafts making up the text of the constitution.

## ***Technical Refinement Team***

---

To assist the Constitutional Committee in its work, the Management Committee instructed the Directorate of the Administration to establish a Technical Refinement Team to ensure that the complete text of the draft constitution was refined technically and grammatically.

The Technical Refinement Team consisted of members of the Directorate, Law Advisors of the Constitutional Assembly and representatives of the Independent Panel of Constitutional Experts.

Members: Advocate Louisa Zondo (Convenor and Deputy Executive Director); Hassen Ebrahim (Executive Director); Advocate Gerrit Grove (Constitutional Assembly Law Advisor); Professor Johan van der Westhuisen and Professor Christina Murray of the Panel of Experts; Phillip Knight, Canadian plain language expert and Barrister.

The Technical Committee for the Bill of Rights, Prof H Cheadle, Ms S Liebenberg and Prof I Rautenbach, assisted with matters dealing with the Bill of Rights.

Adv Zondo's personal secretary, Carol Basson, and Sandra Haydon from the Administration's Secretariat Department assisted the team with administrative and logistical back-up. The minuting secretaries from the Sub-Committee and Constitutional Committee, Margie Keegan, Susan Rabinowitz and Thomas Smit also assisted.

The Technical Refinement Team was assisted by the Head of the Constitutional Assembly's Research Department, Derek Powell, Law Advisors Nonkosi Cetywayo, Namawabo Msizi and Mvuyo Ndziba and the Managing Secretaries of Theme Committees.

In general, the Technical Refinement Team sought to carry out its tasks in consultation with the technical advisors from Theme Committees. This technical team was obliged to also give expression to the political instruction to ensure that the text was in a plain language that was accessible to the large majority of our population.

## **Plain Language Approach**

The plain language approach is part of a worldwide trend towards user-friendly language and legal documents, written in a way that is clear and simple as possible, with the reader in mind.

Phillip Knight, an international drafting and language expert, was appointed as a consultant to assist in the drafting of the text in plain language. The 2nd Edition of the Refined Working Draft was the first edition drafted mostly in plain language.

The decision by the Constitutional Assembly to use plain language in the new Constitution is in keeping with its objective of producing a Constitution that people can understand and use for their protection and benefit.

The publication of the Working Draft formed the basis of substantial further submissions made by all role players. It also provided a basis on which to address unresolved issues.

From November 1995 to March 1996 further detailed research work was carried out to assist political parties in finding solutions to the issues that remained outstanding. It was during this period that the 3rd and 4th editions of the Working Draft were produced.

By 4 April 1996, most of the substantial outstanding matters were resolved. This allowed the Technical Refinement Team to finalise a 5th edition of the Working Draft.

The 5th edition of the Working Draft was amended by the Constitutional Committee and formed the basis of the 6th Edition which is tabled at this Constitutional Assembly for adoption.

# ***The Final Stage***

---

Negotiations between political parties on the shape of the final text picked up pace after the production of the Working Draft in November 1995. This edition provided parties with the first comprehensive list of outstanding issues to be resolved.

The various further editions of the Working Draft formed the basis of discussions in the Sub-Committee.

## ***Multilaterals***

---

Between meetings of the Sub-Committee parties privately arranged bilateral meetings. This also led to multilateral meetings between parties which discussed a range of outstanding issues. The Administration of the Constitutional Assembly was requested to facilitate and provide administrative back-up at multilateral meetings between parties.

In March 1996 the Management Committee evaluated progress. It was agreed that a multilateral take place in relative isolation over several days for purposes of resolving outstanding issues.

## ***Arniston***

---

All political parties with their advisors, technical advisors, the Constitutional Assembly's law advisor and the Independent Panel of Constitutional Experts met at Arniston in the Western Cape between 1 and 3 April 1996.

This meeting was fully supported by the administration's research, secretarial and logistical services. The progress recorded at this multilateral was significant. A report was tabled at the Constitutional Committee on 4 April.

At this meeting of the Constitutional Committee, the Technical Refinement Team was instructed to produce the penultimate version of the new Constitution, the 5th Edition of the Working Draft.

## ***18 April 1996***

---

The final phase of negotiations took place in the Constitutional Committee at its meetings between 15 and 19 April.

A marathon all-night session of the Constitutional Committee on Thursday 18 April, which ended at 05h47 on a chilly Friday morning, saw most of the political agreements in place. The Constitutional Committee meeting began at 20h00 with the Chairperson announcing in grim tones that "all the time we have wasted over the past two years, catches up with us tonight".

The Constitutional Committee convened on an almost hourly basis throughout the night, receiving reports from Sub-Committees, multilaterals and bilaterals throughout the night and into the next morning. Such was the interest in this critical meeting that journalists and observers remained with politicians, advisors and administrative staff until the very end. A small team of dedicated parliamentary staff led by the Head Waitress, Mrs R Smit, and assisted by the parliamentary medic, Sr S Van Coller, provided tea, coffee and sandwiches on a two-hourly basis.

The Technical Refinement Team began working on the Draft Constitution of Republic of South Africa Bill, 1996 on Friday 19 April and throughout the weekend, with printing taking place on Sunday 21 April 1996. The Bill was distributed on Monday 22 April 1996 to members of the Constitutional Assembly when the formal adoption process began.

# **Translation**

---

The Constitutional Assembly has undertaken to translate the new Constitution into all 11 official languages.

Legal advisors were drawn in to carry out the final translations. This team began its work in the Constitutional Assembly offices on 3 April 1996 and was headed by Zam Titus, Chief State Law Advisor to the Eastern Cape Provincial Government, and Advocate M Elias Phiyega, Senior State Law Advisor in the Department of Justice.

Other members of the translation team included Ms Phumzile Mahalalela, Mr Solly Rajuli, Mr Jacob Skosana, Mrs Susan Mapasu, Mr Bathu A Phiri, Advocate M Ndokweni, Mr Somwabo Tshabe, Mr EJ Shitlangu and Anton Meyer, Chief Law Advisor to Parliament.

A full report on the work of the translation team will be provided in the Administration's final report.

# ***Public Participation***

---

“It is therefore important that as we put our vision to the country, we should do so directly, knowing that people out there want to be part of the process and will be responding, because in the end the drafting of the constitution must not be the preserve of the 490 members of this Assembly. It must be a Constitution which they felt they own, a Constitution that they know and feel belongs to them. We must therefore draft a Constitution that will be fully legitimate, a Constitution that will represent the aspirations of our people.”

*MC Ramaphosa, Chairperson,  
Constitutional Assembly, 24 January 1995.*

“The people of South Africa must be involved. They must be consulted, in an organised fashion, on specific issues in order for the new law to be sensitive to and shaped by their realities, and for it to address these realities.”

*Ms B Mbete-Kgotsisile, MP, African National Congress, Constitutional Assembly, 15  
August 1994.*

“Our priority is to ensure that the process is not confined to these walls. We need to ensure that the communities along the Limpopo Valley also have their views heard in this Chamber and in our committee rooms. The final draft must reflect the views of our people in the villages, informal settlements, hostels, factories, towns and cities.”

*OC Chabane, MP, African National Congress, Constitutional Assembly, 24 January  
1995.*

“An important difference between this exercise and the negotiations at the World Trade Centre is that all the proceedings of the Constitutional Assembly are open to the public. Submissions have been invited – and two million received! Information on the Constitutional Assembly is available on the Internet. And you have solicited the views of ordinary citizens in hundreds of meetings around the country. Whilst proceedings may at times appear cumbersome, they have given real meaning to the phrase ‘participatory democracy’.”

*Chief Emeka Anyaoku, Commonwealth Secretary General, Address to International  
Round Table on Democratic Constitutional Development, 17 July 1995.*

The words of the Commonwealth Secretary General, Chief Emeka Anyaoku, that the Constitutional Assembly’s public participation programme, has given real meaning to the phrase ‘participatory democracy’, are a fitting tribute to this programme. It is the first exercise in public participation on such a scale carried out by government since the elections in April 1994.

By all accounts it has been a resounding success and has valuable lessons for any government that wishes to ensure that democracy, in the end, means more for the ordinary citizen than the right to vote.

The objective of the public participation programme was to draft and adopt a credible and enduring Constitution which will enjoy the support and allegiance of all South Africans.

It was agreed that the new Constitution should be the product of an integration of the ideas

of political parties in the Constitutional Assembly with those of civil society and the broader South African public.

### **Major arms of public participation**

The major arms of the public participation programme were:

- A Community Liaison programme
- A Media campaign
- Invitation of written submissions from the public

The organisation of the Constitutional Assembly's public participation programme was the responsibility of the entire Administration. The Community Liaison programme and Media Campaign were, however, largely organised by the Community Liaison and Media Departments of the Administration. The report on these two facets of the public participation programme, also constitutes the Departmental Reports from these two departments of the Administration.

## **Community Liaison**

### **OBJECTIVES**

The Community Liaison Department was setup to develop and implement the face-to-face or outreach component of the Public Participation Programme.

The specific objective of the Community Liaison Department was to facilitate an interface or dialogue with 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.

It was also agreed that a particular effort should be made to meaningfully access the rural and disadvantaged communities that have so far been marginalised from mainstream political processes. This presented the Constitutional Assembly with a number of challenges.

### **TIME FRAMES**

The Community Liaison programme unfolded in two broad phases:

- The Pre-draft Phase – January – October 1995
- The Draft Phase – November 1995 – March 1996

### **ACHIEVING COMMUNITY LIAISON OBJECTIVES**

The Constitutional Assembly proceeded from the premise that it was not possible to reach the approximately 44 million South Africans in a period of two years.

This challenge coupled with the objective of reaching rural and disadvantaged communities was approached through the development of a strategy that does not merely view the South African population as 44 million individuals but takes into account the broad and rich diversity of civil society structures that make-up South African society.

South Africa has a highly developed civil society with structures representing every aspect and interest in society. These structures range from community-based organisations to large national sector groupings.

Focus on civil society formed the centre-piece of the CA communications strategy and consequently also the Community Liaison strategy. In reaching civil society, the CA was able to reach the people.

However, this aspect of interfacing with civil society was secondary to the need to empower



civil society.

By empowering civil society to participate in the constitution-making process, the CA was able to add a new dimension to the development of democracy in South Africa. This was the key component of the strategy to make the constitution-making process a people-driven process.

Mainstream communication mechanisms do not effectively reach approximately one-third of South Africans. This is especially true with regard to rural and historically disadvantaged communities. These mechanisms are also inadequate for accessing educationally disadvantaged people.

The CA could not ask people to participate in the process of constitution-making when in reality few people understood what this meant. So, it was necessary to ensure that all Community Liaison mechanisms had an educational orientation.

### **MECHANISMS**

In order to give effect to the Community Liaison strategy, the following complementary communications mechanisms were developed:

- Provincial Government Liaison;
- Constitutional Public Meetings (CPMs);
- Sectors Programme
- Constitutional Education Programme (CEP)
- Civil Society Database

### **Provincial Government Liaison**

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

The 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 preceded each public meeting. The CEP Co-ordinators were also introduced to the Provincial Governments.

### **Constitutional Public Meetings (CPM's)**

Although called public 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 CPMs in all provinces. These public meetings were preceded 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 interact directly with their elected representatives.

The programme reached a large number of civil society structures and members of the public who have not enjoyed effective access to political processes in the past.

The process of organising each CPM included the following elements:

- liaison with provincial governments;
- organising a consultative meeting of community structures and electing a steering committee to assist with the organisation of the meeting;
- a second advance team from CL visited the community prior to the event to make final arrangements;
- the Theme Committee members were flown to the area;
- sound, translation, recording and transcriptions facilities were provided.

### **Sectors Programme**

The National Sector Public Hearing Programme (NSPHP) emerged out of a need to consult with and involve organs of civil society in the constitution-making process. These organisations represent diverse constituencies across the social and political spectrum.

The sectors programme was seen as an opportunity for these constituencies to be heard by the members of the CA. This was effectively done by consulting their leaders represented by civil society.

It was also an opportunity for the members of the CA involved in writing the Constitution to consult with, and receive submissions from sectors with expert knowledge and experience on the ground.

A four-member team was set up within the Community Liaison Department to be the implementing force of this vision.

### **Sector 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 of Sector Hearings**

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

Additional Theme Committee hearings were also organised in the day-to-day work of the Theme Committees. These had a specific focus outlined by the relevant Theme Committee.

The Sectors Programme was a more co-ordinated approach and primarily organised by the Community Liaison Department. These hearings were more broadly-based and reached 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 sub-contractors 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**

Logistics were divided into the following areas:

### Producing a Schedule of Hearings

We embarked on a process of determining which sectors would best inform the process and which sectors would best fulfil political obligations. We had to determine how to put a schedule together that best satisfied these requirements and was logistically feasible. The result led to the following schedule of hearings:

Sector	Date	Venue	Organisations represented	Sub-contractor Organising NGO
Judiciary and Legal	27-2-95	University of South Africa (UNISA)	38 organisations (70 people)	Institute for Multi-Party Democracy (MPD)
Business	8-5-95	Old Assembly Chamber, Parliament	20 organisations (80 people)	CA
Children's Rights	13-5-95	Human Sciences Research Council, Pretoria (HSRC)	30 organisations (120 people)	HSRC
Traditional Authorities	12&13-5-95	National Assembly Chamber, Parliament	8 organisations (220 people)	MPD
Religious Groups	26-5-95	World Trade Centre	50 organisations (140 people)	Institute for a Democratic South Africa (IDASA)
Youth	27-5-95	World Trade Centre	40 organisations (160 people)	IDASA
Labour	3-6-95	World Trade Centre	20 organisations (± 160 people)	IDASA
Womem	4-6-95	World Trade Centre	85 organisations (± 160 people)	IDASA
National Machinery and the of Womem	2&3-6-95	World Trade Centre	80 organisations (± 150 people)	IDASA
Local Government	14-8-95	Parliament	58 organisations (62 people)	CA
Socio-Economic Rights	1-8-95	Parliament	103 organisations (110 people)	CA
Land Rights	1&2-8-95	Parliament	64 organisations (76 people)	CA

## **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.

### **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.

Audio tapes were made of all National Sector Hearings in order to keep a detailed record of all the oral submissions that were made. In addition, the majority of hearings were also video taped. All oral submissions were transcribed and transcripts were distributed to Theme Committees and Management Committee. All audio tapes were transcribed and translated to some extent.

During the hearings, additional staff were brought in from other areas of the Administration and from the Secretariat in particular to facilitate the event.

These hearings were not decision making or debating structures. They were an opportunity for representatives from the sector to make their input and submissions. The Public Hearing was not a forum to achieve consensus and Constitutional Principles were not open for debate.

All submissions, both written and oral, from the public hearing were processed by the relevant Theme Committee and had the same status as written submissions which were received.

### **Assessment of the First Phase of Sector Hearings**

Given the limited time the Administration had to develop and implement this programme, it is significant that 596 organisations were consulted. This translates into 1 508 actual representatives across the spectrum of civil society seen.

#### **Achievement of Objectives of Sector Hearings**

The National Sector Public Hearing programme succeeded in engaging organised sectors of civil society in the constitution making process and thereby facilitating the participation of the broader public specifically:

- The consultation process was extensive and submissions received reflected a broad spectrum of opinion on the different issues.
- Qualitively, both the representatives of Civil Society and members of the Constitutional Assembly expressed their satisfaction in the usefulness of the process.
- The success of the process is also evident in the substantive submissions that were made or received during the hearings.
- Further sectors played a central role in isolating the central issues and debates that needed to be considered by the Constitutional Assembly and were clearly reflected in the formulations set out in the Working Draft.
- The important role that Civil Society should play in the process of governing was given effect to in the National Sector Public Hearing programme specifically, and the Public Participation programme more broadly.
- Whilst the primary objective was to receive submissions from

representatives of civil society, the hearings provided an opportunity for both these representatives and members of the CA to broaden their understanding on specific issues.

- It was our intention to not only involve Civil Society as participants of hearings, but also to empower them by drawing them into the organisation of the events.
- The timeframes in which the National Sector Hearings were held were extremely tight. As a result, the majority of hearings took place within a four week period from 8 May to 4 June 1995.

### **Comments/Lessons Learned from Sector Hearings**

The use of speakers in helping to frame discussions, share expert knowledge and relate practical experiences, was very useful. However, the following issues came to the fore and would be useful in organising similar events in the future:

- Participants felt that a limited number of people were given prominence.
- 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.
- 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:
  - Flexibility in the agenda in order to make changes at short notice.
  - Preparation of documentation was an ongoing activity.
  - 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.
- 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.

The partnership with NGOs, as indicated previously was extremely important and mutually beneficial. However some learning points on this score were:

- The joint management of the process was essential. Although the NGOs were sub-contracted to do the logistics, the Constitutional Assembly ended up jointly managing most of the logistics. Some NGO's displayed a distinct lack of capacity.
- 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.
- Our expectations of some NGOs and their contact networks was too high.

Given the short time frames, there was not enough joint planning with the NGO's. The importance of this area can not be over emphasised, and should be taken into account in organising similar events in the future.

South Africa is not yet geared up to handle translation/interpretation, nor transcription services for all 11 official languages. This has proved to be a major constraint and there seemed to be a monopoly held by one or two companies, who were still inadequate in the services that they provided on African languages. Further parliamentary facilities for translation and interpretation would need to be expanded to cater for these requirements in the future.

### **The role of Hearings in the second phase**

A rethink took place in the second phase on the role of civil society participation.

The notion of hearings as part of a broader public participation programme needed to be assessed.

In view of the extensive consultation with sectors in the first phase, the following observations emerged out of the assessment:

Hearings needed to be seen as one vehicle for public participation. The primary vehicle for public participation for both individuals and sectors needed to be the written submission process.

- Hearings must take forward the process of discussion and not reopen areas where agreement has been reached
- Hearings need not be for all the stakeholders in a particular sector but only for the organisations that the Constitutional Assembly, in consultation with them, deems necessary.

In the light of the above it was thus decided that hearings would be held only in instances where:

- There were matters outstanding and where there were areas of contention which had not yet been resolved. This would be determined by members of the CC or its Sub-Committee.
- Organisations or sectors which requested hearings and the Constitutional Assembly acceded to their requests

The above process was however dependent on a continuous assessment of the nature of the political process generally and the nature and content of the submissions received in particular.

Stakeholders in civil society 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.
- 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 published Working Draft.
- Stakeholders views were also communicated to the Constitutional Assembly through the submission process.

### **Concluding Remarks on Sector Participation**

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.

## **Constitutional Education Programme (CEP)**

### **Introduction**

The Constitutional Education Programme forms part of the strategy developed by

the Constitutional Assembly to interact with the South African public.

The Constitutional Education Programme was conceptualised to give real effect to this mandate.

South Africa has a large rural, illiterate and semi-literate population. The CEP was created to enable rural and disadvantaged communities to make effective input into the constitution-making process.

To do this, it was necessary to educate people about constitutions and the process of writing the new Constitution, to ensure that people understood the issues and the process involved sufficiently well to make informed submissions and comments.

### **CEP Objectives**

The objectives of the CEP were the following:

- helping to ensure maximum community participation in the constitution-making process, primarily through community workshops;
- raising the profile of the CA and popularising the process;
- a specific focus on rural and disadvantaged communities, including a process of empowerment;
- ensuring co-ordination with other aspects of the Public Participation Programme, including Constitutional Public Meetings and national sector public hearings; and
- co-operating, where practical, with other national programmes, such as the Government's Reconstruction and Development Programme

### **CEP Methodology**

The CEP adopted the tried and tested workshop approach of most Non Governmental Organisations (NGO's) in educating rural and disadvantaged people, many of whom are illiterate or semi-literate and consequently unable to follow the process in print media and most of whom lack access to television or newspapers.

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 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 Constitutional Assembly 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 all official languages. 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, "Constitutions, Democracy and a Summary of the Working Draft", in all official languages to supplement the content of the workshop programme and printing of educational posters in all languages.

### **CEP and 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 the content and the complexities of the process could not easily be explained in advertisements.

The role of the provincial coordinators was crucial in ensuring that civil society structures were kept abreast of developments and thus able to participate meaningfully in the process.

A working relationship with civil society structures was envisaged during the initial conceptualisation of the CEP. It was hoped that the impact of the education programme could be increased through the involvement of NGOs in the delivery of the workshop programme.

Coordinators were trained to run "training for trainers" workshops to enable them to train facilitators drawn from NGOs in their provinces. However, this would have meant that the organisations assisting the CA would also have been making submissions to the constitution-making process.

This would have been an impossible situation for those civil society structures. It became clear also that the limited resources of the CA were not sufficient to embark on this plan of action.

Constitutional education in the future will be taken forward by NGOs and other institutions such as the Human Rights Commission. This ongoing education is crucial for the entrenchment of democracy in South Africa.

### **Implementation Phases**

The work of the Community Liaison Department was linked directly to the constitution-making process. Education focused on the nature of constitutions, the



significance of a constitution and the ways in which the public could interact with the process. This entailed the development of different workshop programmes for the different phases of the process.

### **Time Frames**

March 1995	Interviews and selection of provincial coordinators
May 1995	Employment and setting up process of provincial programme
Jun – Nov 1995	Pre-Working Draft phase – training of CEP coordinators and education on constitutionalism and the submission process
Nov 1995 – Feb 1996	Working Draft Phase – training of CEP coordinators and education on the Working Draft and the comment process
Mar – Apr 1996	Evaluation of CEP and wrapping-up of provincial programmes

### **Pre-Working Draft Phase**

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 retrained 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, correctly, anticipated to be much higher than during the first phase.

Coordinators were consequently advised on how to turn these workshops into briefings where the number of participants was too large to allow participatory methodologies.

The CA produced a book, "Constitutions, Democracy and a Summary of the Working Draft", in all official languages to supplement the content of the workshop.

This book provided a simple language summary of what was in the Working Draft as well as background information on constitutional democracy.

Coordinators also distributed copies of the special edition of Constitutional Talk containing the full text of the Working Draft and articles and illustrations explaining some key issues.

These publications ensured that people attending the workshops were able to supplement the knowledge acquired during the workshop in their own time.

### **Management of CEP**

During the Pre-Working Draft phase of the process, the provincial coordinators reported directly to the CEP managers. The Deputy Resource and Training Manager dealt with issues relating to the workshop programme, such as updates of information, while the constitutional education manager dealt with general management issues. The Deputy Head of Community Liaison took overall responsibility for the CEP, liaising directly with Administration on issues such as Government Garage and relations with the South African Communication Services (SACS) who seconded staff to the Constitutional Assembly.

The workshop programme intensified during the Working Draft phase. For this reason, a team of staff was given the task of coordinating the provincial programmes. Each member of the National Communication Coordinating Team was responsible for specific provinces. The provincial coordinators liaised with their NCC team member.

Regular meetings were held between the NCC team and the CEP managers. This was necessary to ensure the delivery of material, to deal with issues as they arose and to ensure that the programme ran smoothly.

The strategy was extremely effective, as evidenced by the statistics. The number of workshops held and people reached in the second phase was a result of this strategy.

### **Assessment of the Functioning of the CEP**

The time frames for the CEP were very tight. It was not possible to deliver a comprehensive education programme in the time available. However, given the constraints, the programme worked effectively.

In particular, the Working Draft phase was a major achievement and an example of the kind of outreach programmes that can be run.

The first phase was difficult in management terms. The coordinators were situated in SACS offices, which run along particular systems. The coordinators had to 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.

Transport proved to be a problem for coordinators. This started with some administrative difficulties with Government Garages. The condition of roads in rural areas also presented problems.

### **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.

### **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.

### **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.

Where special events took place, coordinators were also able to assist.

The national sector public hearings had been planned by the time the coordinators were employed. There was insufficient time to coordinate the workshop programme with these hearings, although some attempt was made to hold workshops for particular sectors, to assist these structures in participating in the national hearings. Insufficient time meant that the provincial organisations could not meaningfully input into the national programme.

### **Cooperating with other national programmes**

Coordinators interacted with existing forums, such as RDP forums, where these existed. In addition, some provinces effectively 'piggy-backed' on existing outreach programmes, providing short briefings in workshops on local government and

Masakhane.

### **Recommendations for similar work**

Management systems need to be put in place early, and the people entrusted with management should be given whatever skills development they require. This results in better delivery and working relations. The time and money spent in short management courses is well spent. Learning on the job is highly stressful, and results in ad hoc solutions to complex situations.

Time spent on planning management structures is wasted if these are not implemented. It is difficult to persuade staff of the need for systems if effective measures are not implemented.

Staff management is vital. Short time lines and great pressure result in stress in staff. Skills development is one way of reducing stress and facilitating better delivery.

Transport is a major problem for any outreach programme. Government initiatives have GG vehicles available. However, there are many problems with this system and the CA, as a short-term operation was unable to enter into subsidised purchase agreements.

National management teams of provincial programmes facilitated the smooth and effective delivery of the workshop programme.

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.

Delivery times for material development need to be carefully managed.

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.

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.

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.

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.

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.

### **Civil Society Database**

In September 1994 when the department was set 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.

### **Assessment of functions of the Department**

Once the Community Liaison strategy had been developed it became clear that a specialised structure would be needed to implement it.

There was and still is no organisation in the private or public sector that possesses the skills or capacity to deliver a nationwide face-to-face outreach programme. It was accordingly necessary for the department to be purpose-built from the ground-up.

The Community Liaison campaign was managed from the CA in Cape Town through 11 regional offices. Constitutional Education Co-ordinators were located in the SACS offices in all provinces.

The programme entailed a great deal of logistical work. This included the need for detailed scheduling so that many of the overlapping programmes were able to run smoothly and simultaneously.

For example during May and June 1995 it was not uncommon to have two hearings, four public meetings and approximately 12 workshops happening on one weekend.

Because the use of Sundays was restricted to exceptional cases, most of these events occurred on a Saturday. To facilitate multiple-event management on a nation-wide basis, the department set-up an operations room that, during peak periods, was able to exercise around-the-clock management of the programme.

The work of the department involved a great deal of travel both within the provinces and from Cape Town to the provinces. The department developed substantial organisational capacity and achieved a high level of efficiency and reliability. This was crucial to the implementation of a large national campaign

### **Major Achievements**

- Accessing approximately 117 184 people.
- Organising 1 253 interactions, including 807 organised events viz. hearings, meetings, consultations and briefings.
- Regularly liaising with 1 588 organisations including distributing the Working Draft to these organisations.
- Constitutional Public Meetings – 26 events, 20 549 people attended, 200 MPs participated and 717 organisations participated
- Sectors -13 events, 1 508 people attended, 596 organisations participated
- Constitutional Education Programme – 486 workshops, 259 briefings, 446 meetings

Total: 1191 interactions and 95 127 people reached

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 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 Constitutional Assembly through its face-to-face mechanisms has succeeded in breaking new ground in the field of communications. The Community Liaison 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 programme 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.

One of the spin-offs has been the demystification of the Constitution.

Programmes were implemented in a non-party political fashion. This in itself is a demonstration of the emerging tolerance amongst political parties.

More than 1200 interactions involving the public were implemented without any serious problems with respect to organisation or political credibility.

### **Difficulties**

The Community Liaison Department had to implement its first events both while staff was being hired or very shortly after their arrival. For the first events we had to resource plan and implement at the same time. However, through the perseverance and dedication of staff we succeeded in overcoming these challenges and thereafter went from strength to strength. The fact that some political organisations were not part of the process presented us with certain challenges.

Lack of civil society structures in some parts of the country was also a problem.

The most important problem experienced by the department was the lack of a lead time. In other words we should ideally have had a least six months in which to do constitutional education before the launch of the other aspects of the Public Participation Programme.

### **Recommendations**

The Constitutional Assembly has set a precedent for official interaction with community structures. Expectation at grassroots level to be consulted and informed by government is now much greater as a result of the programmes of the Constitutional Assembly.

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.

Community liaison and media campaigns need to be effectively integrated into a holistic 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 appropriate resources and management will find that their investment in media processes is undermined. Community liaison work underwrites media work and vice-versa.

### **COMMUNITY LIAISON STAFF**

The Community Liaison staff:

Cape Town

Edward Shalala – Head of Department

Ntozelizwe Tom – Deputy Head of Department

Faiza Kippie – Secretary

Constitutional Public Meetings and Provincial Liaison

Wayne Morris, Maphelo Mvunelwa – Project Managers

Beverline Thomas, Pamela Crowley, Alex Sussman –

Administrative Assistants

Constitutional Education Programme

Fran Biggs – Programme Manager

Greg Moran, Derek Fine – Resource and Training Managers

Ivan Nielsen – Danish Intern

Fay Jamie – Administrative Assistant

Sector Programme

Permenthri Pillay – Project Manager

Bronwen Levy – Sector Co-ordinator

Josh Nathanson – Canadian Intern

Nickey van Noordwyk – Administrative Assistant

National Communication Coordinators – Operations Team (South African Communication Service)

Nickey Le Roux

Werner Harms

Elmien Riley

Florence Magooa

Willie Lourens

Sanet Buekes

Mari Stroebel

Una Fourie

Provincial Coordinators:

Meshack Nkabinde, Sydney Mokoena – Mpumalanga

Alvina Chabalala, David Mmela – Northern Transvaal

Joseph Ngubo, Gert Maarman – Northern Cape

Andile Matshela, Mpho Moletsane, Nkuli Mayende – Eastern Cape

Bouy Gaorekwe, Samual Dibakoane, Sam Present – North West

Glen Netshivodza, Dodo Rantho – Free State

Cassandra Gabriel, Boyce Mkhize – KwaZulu-Natal

Stuart Mciteka, Merle Brown – Western Cape

Oupa Moshebi, Nellie Malefetse – Gauteng

# ***The Media Department***

---

“The media needs to be seen, once and for all, as an educator with tremendous outreach potential to the public.”

*Ms J.Y Love, MP, African National Congress, Constitutional Assembly, 15 August 1994.*

The media played a vital role in the drafting of the new Constitution. A Media Department was established in the Administration to conceive and carry out the Constitutional Assembly’s media strategy. This involved the use of print, radio and television as well as a national advertising campaign.

The underlying principles that informed the CA’s media strategy were transparency, democracy, accountability and public participation in the constitution-making process.

## ***Media Objectives***

---

The primary objectives of the media strategy for the Constitutional Assembly were to:

- Inform
- Educate
- Stimulate public interest
- Create a forum for public participation

## ***Mechanisms***

---

There are two important considerations which guided our approach to finding the most suitable mechanisms to implement a media strategy:

- Optimum use of existing channels of mass communication and hence the need for effective media liaison and a national advertising campaign. Supplement this with the production of an in-house media in the form of a brochure, CA news-letter, posters, leaflets, educational resource material, audio-visual cassettes.
- The need to reach disadvantaged rural communities in particular.

## ***Components of the Media Campaign***

---

- Advertising campaign
- Television and Radio Programmes
- Publications and Resources
- Public Relations
- Media Liaison

## ***Advertising Campaign***

---

### ***Advertising Agency***

---

Given the amount of advertising that had to be done in the campaign, the services of an advertising agency were sought. Hunt Lascaris TBWA was selected from among 25 agencies who applied.



The criteria for selection was based on four key considerations:

- Technical capacity
- Track record
- A sound knowledge of the media establishment in South Africa
- Affirmative action

## **1995 Advertising campaign**

### **Objectives**

The media campaign was launched on 15 January 1995 just before the beginning of the Constitutional Assembly work. The campaign was aimed at raising public awareness about the constitution-making process and to announce and publicise Constitutional Public Meetings.

### **Message of the campaign**

The Constitutional Assembly had just launched its media campaign. The primary message conveyed to the public was that an important process was unfolding in this country which affected their lives and those of future generations, that every South African has a unique opportunity to take part in the drafting of a new Constitution.

Specific messages were developed for the different phases of the constitution-writing process. They were:

- "You've made your mark, now have your say".
- "Its your Right to decide your Constitutional Rights".
- "Securing your right, securing your future".
- "One law for one nation".

### **Awareness**

The awareness part of the campaign assumed the form of general advertisements about the fact that there is a constitution-making process. These were run on television, radio, national, regional and local newspapers and outdoor billboards.

The first leg of the campaign lasted two months and the frequency was dictated by costs. The second part was launched on the date of the publication of the Working Draft Constitution in November 1995 and ran up to the deadline for public submissions on 20 February 1996.

## **Announcement of Public Meetings**

The announcement of Constitutional Public Meetings was made to inform the public in the area where meetings would be held.

The aim was to invite the public to attend and make submissions. The campaign utilised regional and local media and posters, as well as pamphlets. Local newspapers were also requested to include these announcements in their events diaries or community announcements columns.

## **Objectives**

The Community Agency for Social Enquiry (CASE) and Roots Marketing were commissioned by the Constitutional Assembly to undertake a national survey to assess the penetration and impact of the media campaign and to assess public attitudes to key constitutional issues.

The survey was designed and analysed by CASE questionnaires were designed and went into the field on 19 April 1995.

The survey sample comprised 1 000 South Africans of all races aged 18 and above, from all areas including formal metropolitan, formal urban, rural and informal metro and urban areas.

Questionnaires were administered in the language chosen by respondents. Smaller regions were over-sampled and the results were then weighted back to national proportions. The results reflect the views of adult South Africans.

The whole media campaign was underpinned with two impact studies to determine its success or otherwise. The first was conducted two months after launching the media campaign, the second just after the publication of the Working Draft constitution.

The results revealed the following:

- The Constitutional Assembly media campaign reached 65% of all adult South Africans in the few months between 15 January and 19 April 1995 (three months). This was extremely positive.
- Where people were exposed to Constitutional Assembly media (on TV and radio or print) two-thirds learnt from the adverts.
- Women access less media than men and also learn less from CA adverts than men.
- 14% of respondents had already contacted their local organisations regarding the Constitution.
- The public was clearly sceptical about the seriousness of the CA in calling for their involvement, and about the treatment their submissions would receive. There was a credibility issue which needed to be given some attention.
- Levels of knowledge about the Constitution were fairly high, but a sizeable proportion of the population still needed education about the nature and function of a constitution. They also needed information about the CA and the constitution-making process.

## **Advertising Campaign 1996**

When the Media Department held a planning session on 10 January 1996, three events were paramount in determining the 1996 media strategy:

- Inviting public comment on the published Working Draft
- The finalisation of the constitution-making process
- The adoption of the new Constitution on 8 May 1996

## **Phases**

The following phases were identified :

- Submissions phase from January to February 1996
- Intermediary phase from March to May 1996
- Post-adoption phase after May 1996

## **Message**

The messages in 1996 were "Securing your freedom. Securing your rights. The new Constitution" and "One law for one nation. The new Constitution."

In the first phase, the objective was to ensure the public knew about the deadline for written submissions. In the second phase, a seven-week multi-media campaign was designed which focussed on various socio-economic and political issues. These issues were used to highlight the importance and meaning of the new Constitution to the South African people.

The pace picked up as the count-down began to adoption day itself on 8 May. In the last two weeks of April 1996, the focus was on the fact that it is the working together of the public and their elected representatives in the CA that produced the new Constitution. From 1 to 8 May, the emphasis shifted to the content of the new Constitution. The overall message was that the new Constitution will guarantee true democracy in South Africa.

## **Public Relations and Media Liaison**

The Public Relations and Media Liaison Offices have had as their main aim the creation of good relations with the public and media.

These offices have acted as information centres for the constitution-making process. At times over 500 calls per day were handled by the staff.

Other than acting as a support base for the administration and members of the Constitutional Assembly, the offices have embarked on various projects. These included:

- Press briefings for international, national, provincial and local media
- Releasing press releases and information bulletins
- Briefing interest groups, business and provincial legislatures
- Various campaigns such as Freedom Day on 27 April 1995 and Human Rights Day on 21 March 1996
- Various launches including the Media Campaign, Constitutional Assembly Internet Home Page, Telkom Constitutional Talk-line and the Working Draft

## **Talk-line**

New communications vehicles have also been identified, such as the Constitutional Talk-line, sponsored by Telkom. The talk-line was designed to enable each person with access to a telephone to communicate directly with the Constitutional Assembly and get an up-to-date briefing on political discussions. Callers were also able to leave messages requesting information or record their comments.

This service was available in five languages, English, Afrikaans, Tswana, Xhosa and Zulu. To date over 10 000 people have made use of this service.

## **Distribution of publications**

The Public Relations Office has also handled distribution of publications with other departments in the Administration.

Since January 1995, the Constitutional Assembly has distributed educational material, the official newsletter, posters, leaflets and the Working Draft of the new Constitution. The methods used were:

- Direct mail
- Taxi-net
- Knock and drop
- From the Constitutional Assembly offices on request
- Distribution of Working Draft, 22 November 1995

Over 5 million copies of the Working Draft in all 11 official languages were printed and distributed throughout the country.

- 2,8 million were inserted into newspapers from November 1995 through to January 1996
- 1,8 million were distributed directly to the public in a knock and drop operation throughout the country
- 100 500 were distributed via the provincial offices of the Constitutional Education Programme
- 94 700 were distributed in taxi-net kiosks in major centres
- 70 000 were distributed from Constitutional Assembly offices in Cape Town by direct mail and pick-up.

Besides the publications mentioned, the Constitutional Assembly has also received and handled numerous requests from the public for other official documents, including the interim Constitution.

## **Television and Radio Programmes**

### **Objectives**

The objective of the radio and television programmes organised by the Constitutional Assembly was to provide a platform where the members of the CA could interact with the public and civil society structures on current issues being debated in the various CA committees.

#### **“Constitutional Talk” Television Programme.**

The CA’s weekly television programme, “Constitutional Talk”, was launched on 24 April and continued till 10 October 1995 on the SABC’s CCV and NNTV channels on every Monday and Tuesday respectively.

25 programmes were flighted in 1995. The 1996 programme was launched on 18 February and will continue till 12 May. 12 programmes of 28 minutes each for 1996 are broadcast every Sunday and repeated on Saturdays.

Topics for the programme varied from issues debated in the various committees, including the Bill of Rights, Separation of Powers, national anthem and flag, freedom of expression, traditional authorities and the death penalty.

Three moderators hosted the programme and posed questions to participating CA members. They were Professor Dennis Davis of the Centre for Applied Legal Studies at the University of Witwatersrand, Professor Mandla Mchunu of the Centre for Legal Studies at Natal University and Urmilla Bhoola of the law firm Cheadle, Thomson and Haysom. Penguin Films was commissioned by SABC TV to produce the series and Liberty Life Foundation sponsored the programme in 1995 with an amount of R500 000.00.

Members from various civil society organisations participated in the programme and engaged in discussion with several panels of CA Members.

## ***Radio Programmes***

---

### ***Objectives***

---

Radio was identified as an effective delivery mechanism to reach the people in both rural and urban areas.

In collaboration with the SABC Educational Directorate, a weekly constitutional education radio talk-show was developed and launched on 1 October 1995. These are weekly hour-long programmes and are broadcast on eight SABC radio stations in eight languages.

### **Management of the Radio Programme**

The SABC Educational Directorate managed the constitutional education programme on behalf of the CA. The Constitutional Assembly provides constitutional experts from the Panel and others from various academic institutions as studio guests to participate in the programme. The Media Department of the Constitutional Assembly produced all scripts for the programmes.

These programmes reach 10 412 million South Africans each week:

#### Radio Stations and Radio Listenership

Radio Zulu	Sunday 20h:45 - 21h:30	3 359 000 listeners
Radio Xhosa	Monday 20h:15 - 21h:00	1 714 000 listeners
Sesotho Stereo	Tuesday 20h:30 - 21h:30	1 279 000 listeners
Radio Metro	Tuesday 20h:00 - 21h:00	1 291 000 listeners
Radio Lebowa	Monday 21h:00 - 23h:00	1 062 000 listeners
Setswana Stereo	Sunday 13h:05 - 14h:05	850 000 listeners
Radio Tsonga	Tuesday 21h:30 - 22h:55	667 000 listeners
Radio Venda	Wednesday 20h:45 - 22h:00	190 000 listeners
TOTAL		10 412 000 people

## ***Publications and Resources Unit***

---

The Publications and Resources Unit was established to produce the print media of the Constitutional Assembly. This included the CA's official newsletter, public relations information, advertisements, educational material and other information about the CA.

The unit also produced audio and video materials.

### **Constitutional Talk newsletter**

The CA's official newsletter, Constitutional Talk, was produced to provide information to members of the public. It sought to present material in a detailed and educative manner.

It is an eight-page publication produced fortnightly and distributed to 160 000 people. 100 000 copies are distributed nationally through taxi ranks and another 60 000 sent to subscribers.

It is produced by the following staff members;

- Editor: Pat Govender
- Journalist: Sarah Hetherington
- Photographer: Subash Jeram
- Illustrator: Trish de Villiers

- Assistant layout artist: Adli Jacobs (Typeface Media)

Occasionally, large numbers of the newsletter were inserted into newspapers. These inserts were done at important points in the CA history.

- The edition printed at the start of the CA process in January 1995, explained how the CA functioned, its deadlines and how the public could participate in the process.
- A second national distribution of Constitutional Talk took place in November and December 1995. It was a special edition produced in 11 different languages with a print run of 4,6 million. This edition included the text of the Working Draft of the new Constitution and was very positively received by the public and media specialists alike. Guy Berger, Head of the Journalism School at Rhodes University, commented that it was “a fine piece of work”.
- A third special issue will be the publication of the Constitution after adoption. This will appear on 26 May 1996 after the adoption of the new Constitution.

### **Other Media**

The Publications and Resources Unit worked closely with the Public Relations Office and produced some exciting media.

For Freedom Day on 27 April 1995, the unit produced a special commemorative poster. The poster formed part of the Government of National Unity’s celebrations.

As part of the advertising campaign for the Constitutional Talk, a collectors’ photograph of President Nelson Mandela was used in the poster produced by the department. The poster was inserted in newspapers nationally.

For Human Rights Day on 21 March 1996, a poster was produced with the theme “Never Again” and inserted into newspapers. This poster commemorated the Sharpeville killings and explained the Bill of Rights in the new Constitution.

Various media packages were produced for Editors’ and Ambassadors’ briefings.

A special video was produced by the unit for the launch of the Working Draft. This 4-minute video was screened on SABC TV’s Good Morning South Africa programme.

### **Educational Material**

Working very closely with the Constitutional Education Programme, some innovative educational materials were produced. These materials sought to provide educational information about the process and the new Constitution

- Comic strips for Constitutional Talk which explained various complex issues in an accessible and user-friendly manner were produced on a fortnightly basis
- An illustrated booklet, “You and Building the new Constitution”, was produced in June 1995.
- Various posters were produced throughout the year, in addition to the special posters already mentioned.

The Publications and Resources Unit was responsible for producing posters and pamphlets on a weekly basis for the Public Participation Programme. Thousands of A5 pamphlets and A3 posters were produced in all 11 languages.

## ***Post-adoption Media Activity***

---

The work of the Constitutional Assembly would not be complete without the publication and distribution of the new Constitution after certification. The Constitution will be published in a number of different formats. Various other resources are also being planned including the publication of a Guide to the new Constitution, a Comic book on the Bill of Rights and a video documentary. A full report on this project will be contained in the Administration's final report.

### **MEDIA DEPARTMENT MEMBERS**

- Enoch Sithole, Head of Department
  - Tango Lamani, Deputy Head
  - Penny Carelse, Departmental Secretary
- Katharine McKenzie, Media Liaison Officer
- Leonora De Souza, Public Relations Officer
  - Sibongiseni Hintsho, PRO Administrator
- Pat Govender, Publications & Resources Manager
  - Sarah Hetherington, Journalist
  - Subash Jeram, Photographer
  - Trish de Villiers, Illustrations
  - Adli Jacobs, Layout (Typeface Media)

# Submissions

The Constitutional Assembly invited written submissions from the public in two phases of the process.

During the first phase the public were invited in December 1994 to make submissions which were forwarded to Theme Committee members whilst they were considering issues and drawing up reports to the Constitutional Committee.

During the second phase, from November 1995 to 20 February 1996, the public were invited to make submissions in the form of comments on the published Working Draft.

The submissions in the second phase were obviously more focussed than those in the first phase. The identification of outstanding issues in the Working Draft helped in drawing particular attention to these areas. In many instances, submissions also included alternative constitutional formulations.

The 4th edition of the Working Draft, produced in March 1996, included specific reference to submissions, clause by clause, in an attempt to ensure proper discussion of these submissions as parties concluded their discussions.

Some individuals also sent in general comments about the process of constitution-making, and, specifically, the invitation for written comments. Some scepticism prevailed about the seriousness with which politicians would treat comments from the public. However, others, like the South African Council of Churches, proposed that the process be extended to allow for further interaction with the public. There was also some concern that greater efforts needed to be made to reach the more disadvantaged and rural sectors of the population.

The statistics provided below give an overview of submissions received in both phases.

## Overview of Submissions received by the Constitutional Assembly

	PHASE 1	PHASE 2	GRAND TOTAL
POLITICAL PARTIES	219	16	235
ORGANISATIONS	1 087	387	1 440
INDIVIDUALS	10 288	1 446	11 768
SUB-TOTAL	11 594	1 849	13 443
PETITIONS	1 741 830	248 504	1 990 354
TOTAL	1 753 424	250 353	2 003 797

## Organisations who made Submissions

The list of organisations who made submissions during the first and second phases, have been combined into a single list and is included below. Some organisations are listed more than once. These organisations made more than one submission. The number appearing next to the name of each organisation is the number assigned to each submission during the process of categorisation and sorting.

### List of Organisations who made Submissions in the First and Second phases

A.R.D. MCINTOSH (PTY) LTD	8727	AFRICA CHRISTIAN ACTION	2419
ABORTION RIGHTS ACTION GROUP	1209	AFRICA FUND	14364
ABRAHAM KRIEL MARIA KLOPPER KI	9830	AFRICA MUSLIM PARTY & MUSLIM ASSEMBLY	1641
ADHOC COMMITTEE ON SOCIAL & ECONOMIC RIGHTS	4652	AFRICA MUSLIM PARTY	13011
AECI LIMITED	11425	AFRICAN ASSOC. FOR HUMAN HEALTH DEVELOPMENT	2810



AFRICAN ENTERPRISE		14672	CENTRE FOR REHAB. OF WILDLIFE	7361
AFRICAN MINISTERS CHURCHES	13377		CENTRE FOR RURAL LEGAL STUDIES	1238
AFRICAN MUSIC & DRAMA ASSOC.		0961	CG SMITH FOODS LTD	14368
AFRICA MUSLIM PARTY		1208	CHAMBER OF COMMERCE & INDUSTRY CAPE TOWN	6191
AFRICAN NAT. COUNCIL OF CHURCH		1206	CHAMBER OF COMMERCE SASOLBERG	8162
AFRIKAANSE HANDELSINSTITUUT		3585	CHAMBER OF MINES OF SA	12120
AFRIKAANSE PROTESTANTE KERK		13191	CHARLES LEVITT & CO	1811
AFRIKAANSE TAAL & KULTUUR VERENIGING (ATKV)		7797	CHILDREN'S INQUIRY TRUST	7729
AFRIKANER FREEDOM FOUNDATION (AVSTIG)		14609	CHILDREN'S RESOURCE CENTRE	4409
AFRIKANERBOND		8570	CHINESE CHRISTIAN CONTACT	10163
AFRIKANERBOND-W CAPE		14172	CHRIST CHURCH KENILWORTH	10731
AFRIKANERBOND: BOKSBURG		4561	CHRISTIAN ASSOC. TELKOM	10285
AFRIKANERVOLKSWAG & SABRA		14238	CHRISTIAN ASSOCIATIO•8528	
AFROPHONE		14513	CHRISTIAN BRETHERN CHURCH	6425
AGAPE TRAINING CENTRE		10050	CHRISTIAN COMMITTEE ON MORAL STANDARDS	0222
AGRICULTURAL RESEARCH COUNCIL		7827	CHRISTIAN COMMUNITY OF P.E.	0708
AGS OF S.A. PINKSTERLIGHUIS		4716	CHRISTIAN DIGEST	4459
AGS VAN SA KRUGERSDORP-WES SS		12066	CHRISTIAN EDUCATION FORUM	3952
AHLUL BAIT (AS) FOUNDATION SA		1639	CHRISTIAN EDUCATION MOVEMENT	1693
AIRLINES ASSOCIATION OF SA		11105	CHRISTIAN RENEWAL CHURCH	2233
AKTION BUNDESSCHLUSS		6998	CHRISTIAN REVIVAL CHURCH	10719
ALBANY CHRISTIAN FELLOWSHIP		8328	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION	1235
ALIPUR MUSLIM ASSOCIATION		12340	CHRISTIAN SERVICE FOUNDATION	2621
ALIPUR MUSLIM ASSOCIATION		12715	CHRISTIAN STUDENTS ASSOC.	5726
ALITEX TEXTILE MILLS		12356	CHRISTIAN UNION OF GRADUATES - PRETORIA	14616
ALL SAINTS HOSP CHRISTIAN FELL		13525	CHRISTIAN VOICE	7524
ALTA DU TOIT-SKOOL		6503	CHRISTIAN VOICE: GEORGE BRANCH	8433
AMERICAN CHAMBER OF COMMERCE IN SA		13937	CHRISTIANS FOR TRUTH	4014
AMERICAN CHAMBER OF COMMERCE IN SA		14634	CHRISTIANS FOR TRUTH: PRETORIA	14197
AMNESTY INTERNATIONAL		13279	CHRISTIANS REFLECT CHRIST CRUS	10706
AMNESTY INTERNATIONAL		13734	CHURCH OF CHRIST SCIENTIST	13670
AMNESTY INTERNATIONAL SA		14169	CHURCH OF THE PROVINCE OF S.A.	3056
ANC HEALTH,SAHSSO,NPPHC,SAMWU		2602	CHURCH OF THE PROVINCE OF S.A. (SYNOD)	12201
ANC HEALTH,SAHSSO,NPPHC,SAMWU		3650	CHURCH ON WHEELS	10049
ANC NATIONAL CONSTITUENCY OFFICE		12738	CITIZENS ALLIANCE FOR PARLIAMENT.	6797
ANDRE DELPORT BROKERS		14294	CITIZENS COMMISS. ON HUMAN RIGHTS	1245
ANGLICAN BOARD OF MISSION - AUSTRALIA		12658	CITY OF CAPE TOWN: CITY PLANNER	1236
ANGLICAN CHURCH		10316	CITY OF CAPE TOWN: TOWN CLERK	9013
ANGLO AMERICAN & DE BEERS CHAIRMAN FUND		3678	CITY OF DURBAN: CORPORATE SERV	1237
ANGORA GOAT STUD BREEDERS		1203	CITY OF DURBAN: CORPORATE SERV	2401
ANIMAL GROUPS ALLIANCE		13697	CIVIC INFORMATION CONSULTANTS	1246
ANIMAL GROUPS NETWORK		3779	CIVIL SERVICE ASSOCIATION	2365
ANIMAL VOICE OF S.A.		5003	CLIFFE DEKKER & TODD INCN	5434
ANIMAL WELFARE		13640	COERTZE PRINSLOO SCHOEMAN PARTNERS	12469
ANWAARUL ISLAM		13904	COMM INQ:RATION PROV/LOC DIVS	10177
APOSTOLIC CHURCH		4614	COMMERCIAL AVIATION ASSOC SA	4786
APOSTOLIC CHURCH IN ZION		5911	COMMISSION ON PROVINCIAL GOVT.	9636
APOSTOLIC FAITH MISSION		10288	COMMITTEE OF COLLEGE OF EDUCATION RECTORS	7918
ARTHUR ANDERSEN & ASSOCIATES		4734	COMMITTEE (NLC)	14262
ARYA PRATINIDHI SABHA (SA)		4514	COMMITTEE OF TECHNIKON PRINCIPALS	14396
ASSEMBLY OF GOD		3139	COMMITTEE OF UNIVERSITY PRINCIPALS	12198
ASSOC. FOR RURAL ADVANCEMENT		4516	COMMUNITY AGENCY FOR SOCIAL ENQUIRY (CASE)	4039
ASSOC. FOR STATE AIDED SCHOOLS		14309	COMMUNITY COUNSELLING & TRAINING CENTRE	4846
ASSOC. OF ADVERTISING AGENCIES LTD		14102	COMMUNITY DEVELOPMENT TRUST	3823
ASSOC. OF AROMATHERAPISTS		1630	COMMUNITY DISPUTE RESOL. TRUST	4201
ASSOC. OF CREDIT BUREAUS		14194	COMMUNITY LAW CENTRE-UWC	13777
ASSOC. OF DIRECTORS OF NAT. COLLECTIONS		2317	COMMUNITY LAW CENTRE -UWC	3892
ASSOC. OF GOVERNING BODIES E CAPE (ASGOB)		3592	COMMUNITY LAW CENTRE-UWC	13657
ASSOC. OF LAW SOCIETIES R.S.A.		7373	COMMUNITY PEACE FOUNDATIO	0988
ASSOC. OF MARKETERS		14636	COMMUNITY PEACE FOUNDATIO	1247
ASSOC. OF MUSLIM SCHOOLS		1821	COMMUNITY PEACE FOUNDATIO	4314
ASSOC. OF PROFESSIONAL TEACHERS		9327	COMMUNITY POLICING FORUM	1615
ASSOC. OF REGIONAL LOCAL GOVT.		3884	CONCERNED CITIZENS COMMITTEE	13595
ASSOC. OF REGIONAL MAGISTRATES OF SA		13991	CONCERNED FRIENDS OF THE FRAIL	0663
ASSOC. OF REGIONAL SERVICES		1207	CONCERNED RES.OF S/BERG & RETREAT	14583
ASSOC. OF SABBATH KEEPERS METHODIST CHURCH SA		2200	CONF. OF COMPL. HEALTH ASSOC. OF SA	14594
ASSOC. RETIRED PERSONS & PENSIONERS		0662	CONFED. COMPLIM.HEALTH IN S.A.	5343
ASSOC. FOR TRAINING & RESOURCES IN EARLY EDUCARE		7792	CONFEDERATION OF EMPLOYERS	1233
ASSOCIATED MAGAZINES		4016	CONFEDERATION OF EMPLOYERS	1910
ASTROLOGICAL SOCIETY OF SA		14418	CONFERENCE OF EDITORS	14250
ATTORNEY-GENERAL: E. CAPE		4065	CONFERENCE OF EDITORS	1547
ATTORNEY-GENERAL: N. CAPE		4064	CONFLICT RESOLUTIO	14529
ATTORNEYS ASSOC.		14328	CONGRESS OF S.A. TRADE UNIONS	6116
AUDITOR GENERAL'S OFFICE		1601	CONSCIENTIOUS OBJECTOR SUPPORT GROUP	14625
AWEPA		8381	CONSERVATIVE PARTY: NEWCASTLE	9962
BAANBREKER PRIMARY SCHOOL		10058	CONSERVATIVE PARTY OF S.A	1249
BAHAI CENTRE		8106	CONSOLIDATED DRUG HOUSES	11717
BAKGATLA BA MALOKA TRAD AUTHORITY		14269	CONSTANTIA PROPERTY OWNERS' ASSOCIATON	2357
BAPTIST BIBLE CHURCH STRAND		10270	CONSTITUTIONAL COURT	1804
BAPTIST CHURCH BELLVILLE		10231	CONSUMER PRODUCT DEVELOPMENT	4635
BAPTIST CHURCH CAPE TOW•	10958		CONSUMERS' ASSOC. P E	5140
BAPTIST CHURCH EBENEZER		9133	CONGRESS OF TRADITIONAL LEADERS OF SA (CONTRALES)A	345
BAPTIST CHURCH FIRST CITY		4806	COOP SECRETARIAL STUDY GROUPS PROJECT	6341
BAPTIST CHURCH FISH HOEK		13784	COPYRIGHT PROTECTION AGENCY	14632
BAPTIST CHURCH HILCREST		7391	CORRECTIONAL SERVICES	13903
BAPTIST CHURCH MOREGLOED		3154	CONGRESS OF S.A. TRADE UNIONS: BRITS LOCAL	4027
BAPTIST CHURCH NEWCASTLE		6257	COSMOPOLITAN MAGAZINE	6250
BAPTIST CHURCH SOMERSET WEST		4662	COUNCIL FOR THE ENVIRONMENT	5117
BAPTIST CHURCH UITENHAGE		7503	COUNCIL FOR TOWN & REGIONAL PLANNERS	11076
BAPTIST UNION OF S.A.		2052	COUNCIL OF MILITARY VETERANS	7358
CENTRE FOR HUMAN RIGHTS - UNIV. OF PRETORIA		4403	COUNCIL OF SA BANKERS (COSAB)	6343
CENTRE FOR POLICY DEVELOPMENT		12081	COURT INTERPRETERS & CLERKS ASSOC.	11189

CRADLES OF PEACE & DEVELOPMENT	14360	FANANG DIATLA DISABLED CENTRE	14304
CRIMINOLOGY SOC.OF SA (CRIMSA) 13780		FARM WORKERS BOSJESVALLEY 1895	
CRITICAL CARE SOC. OF SA	4276	FATWAH COMMIT. OF M.J.C.	2389
CURRICULUM DEVLPT. PROJECT	1823	FEDERAL COUNCIL OF WOMEN	8022
DAGAMA AKKOMODASIE & TOERE	12660	FEDERAL PARTY	1283
DAILY NEWS	1644	FEDERASIE VAN AFRIKAANSE KULTUURVERENIGING	4679
DANNHAUSER ISLAMIC SOCIETY	13065	FEDERASIE VAN RAPPORTRYERSKORPSE	12121
DARLING RATEPAYERS ASSOC.	0012	FEDERASIE VAN RAPPORTRYERSKORPSE	1638
DAVEYTON CIVIC ASSOCIATIO	7761	FEDERASIE VAN RAPPORTRYERSKORPSE	8218
DAY MOTHER'S ASSOCIATIO	8941	FEDERATION OF EMPLOYERS ORGAN.	3809
DEAF FEDERATION OF SA (DEAFSA)	12324	FEDERATION OF EMPLOYERS ORGAN.	4062
DELMAS MUSLIM JAMAAT	14521	FEDERATION OF S.A. SELF-CATER. (FEDSAS)	7760
DELTA WOMEN'S LEADERSHIP GROUP	7562	FEDERATION OF SMALL STOCK BREEDERS SOC.	6070
DENEYS REITZ - ATTORNEYS	6848	FF - BLOEMFONTEIN	12645
DEPT. OF CORRECTIONAL SERVICES	14683	FINANCIAL & FISCAL COMMISSION	2604
DEPT. OF COMMUNITY HEALTH	13594	FINANCIAL & FISCAL COMMISSION	2606
DEPT. OF DEFENCE	14239	FINANCIAL & FISCAL COMMISSIO	12080
DEPT. OF EDUCATION, SPORT & REC (NW PROV)	4305	FIVE FREEDOMS FORUM P.MARITZBG	6264
DEPT. OF HEAMATOLOGY - U.O.F.S.	13261	FOR CONFLICT RESOL.	2808
DEPT. OF JUSTICE	13951	FORUM FOR MENTAL H/CAP W.CAPE	4248
DEPT. OF SPORT AND RECREATIO	14597	FORUM VAN CHRISTELIKE KERKE	13197
DEPT. OF EDUCATIO	1405	FOUNDATION FOR PEACE & DEMOCR.	0014
DEPT. OF ENVIRONMENTAL AFFAIRS & TOURISM	1407	FOUNDATION FOR FREEDOM & NATURAL ENVIRONMENT	5146
DEPT. OF FINANCE	10314	FOUNTAIN OF LIFE	10222
DEPT. OF HEALTH	1835	FREE AFRICA FOUNDATIO	0163
DEPT. OF HEALTH AND WELFARE	7736	FREE CHURCH IN SOUTHERN AFRICA	8432
DEPT. OF HOME AFFAIRS	4574	FREE EVANGELICAL-LUTHERAN SA	13244
DEPT. OF LAND AFFAIRS	7500	FREE MARKET FOUNDATION OF SA	1809
DEPT. OF LOCAL GOVT. UMTATA	1408	FREE STATE MUNICIPAL ASSOC.	3744
DEPT. OF STATE EXPENDITURE	1406	FREEDOM OF EXPRESSION INSTITUTE	14347
DEPT. OF WATER AFFAIRS & FORESTRY	3815	FRIENDS OF CAPE OF G.HOPE NATURE RESERVE	8181
DEPT. OF WELFARE	1643	FRIENDS OF SIMONSTOWN COASTLINE	2051
DEVELOPMENT ACTION GROUP	13731	FRIENDS OF THE CAT	7354
DEVELOPMENT BANK OF SA	2395	FRIENDS OF THE PIG	0100
DIAMANT SHOOTING CLUB	6502	FULL GOSPEL CHURCH OF GOD S.A.	9085
DIKWANKWETLA PARTY OF S.A. Y.L	2798	G & H INTERNATIONAL	12207
DIKWANKWETLA PARTY OF S.A.	5121	GA-MOTHIHI COMMUNITIES	0349
DIOCESE OF PORT ELIZABETH	2953	GAIA RESEARCH INSTITUTE	1879
DIRECTORATE DEVELOPMENT PLANNING	8772	GAME RANGERS ASSOC. OF AFRICA	2813
DISABLED CHILDREN'S ACTION GROUP	4250	GAST INTERNATIONAL (PTY) LTD	0664
DOCTORS FOR LIFE	2797	GAUTENG BREASTFEEDING FORUM	13770
DOMESTIC ANIMAL RESCUE GROUP	9343	GAUTENG EDUCATION SUPPORT ASS.	7498
DORDRECHT COMMUNITY	13974	GAUTENG PEACE STRUCTURE	7881
DP YOUTH OF THE RSA	14302	GAUTENG PROVINCIAL ADMI	7496
DRIVE ALIVE	3865	GAUTENG PROVINCIAL SERVICE COMMISSIO	14677
DUNDEE MOSQUE & MADRESSA E.ISLAMIA TRUST	3212	GAY & LESBIAN ORG. OF WITWATERSRAND	12759
DURBAN CHAMBER OF COMMERCE & INDUSTRY	4235	GAY & LESBIAN STUDIES FORUM	14359
DURBAN CHEST CLINIC	13305	GAY CHRISTIAN COMMUNITY	6830
DURBAN COLLEGE OF EDUCATION	7588	GAY CHRISTIAN OUTREACH	7173
DURBAN TRANSIT. METROP. COUNC.	8486	GENBEL SA LTD	14104
DUTCH REFORMED CHURCHES	14422	GENDER COMMISSION UNIT - E.CAPE	14273
E.P. AGRICULTURAL COUNCIL	14405	GENDER RESEARCH PROJECT - CALS	14412
EAGLE SHOOTING CLUB	8269	GENERAL COUNCIL OF THE BAR	5393
EARLY LEARNING RESOURCE UNIT (ELRU)	12205	GENESIS INVESTMENTS (PTY) LTD	3347
EARTHLIFE AFRICA JOHANNESBURG BRANCH	14073	GEORGES CINQ ET AL	8179
EARTHLIFE: ANIMAL ACTION JHB	7047	GEREFOMEERDE KERK: WAPADRANT	1276
EARTHLIFE: PRETORIA BRANCH	1653	GEREFOMEERDE KERKE IN S.A.	3575
EAST CAPE AGRICULTURAL UNION	7554	GEREFOMEERDE KERKE IN S.A.	4805
EAST CLAREMONT CONGREG. CHURCH	6493	GEREFOMEERDE KERK, MAGOL	6240
EBEN DONGES HOSPITAL	12007	GEREFOMEERDE KERKE IN SUID AFRIKA	13610
EBENEZER BAPTIST CHURCH	8043	GET IT DONE ORGANISATION (GIDO)	13401
ECOGROW FOUNDATIO	5196	GETNET	1530
ECONOMISTS ALLIED FOR ARMS REDUCTION (ECAAR)	2077	GLENCOE MADRESSA TRUST	14293
EDENDALE HOSPITAL	1410	GOOD HOPE ALLIANCE	1424
EDENVALE BIBLE STUDY GROUP	11460	GPA(PWV) HEALTH SERVICES	10284
EDGARS		GRAAFF-REINET MUNICIPALITY	3859
EDUCATORS FOR LIFE (EDULIFE)	3220	GRAAFF-REINET SELF-HELP PROGR.	2400
ELECTORAL COMMISSION OF KENYA	4700	GRACE COMMUNITY CHURCH	10602
ELECTRO PHASE	13174	GRAD SCHOOL OF PUBL & DEV MANG	1766
EMSENI CHRONIC CARE UNIT	8946	GREATER JHB TRANSITION. METRO. COUNCIL	13942
ENGLISH ACADEMY OF S.A.	5752	GREATER JOHANNESBURG TMC	1820
ENTOMOLOGICAL SOCIETY OF SA	6543	GREATER PRETORIA METRO.COUNCIL	10037
ENVIRO. PLANNING PROFESSIONALS INTERDISC. COMM	2166	GREENLANDS BOEVERENIGING	13761
ENVIRONMENT PROTECTION AGENCY	7542	GRIEKWASTAD COMM.DEV. PROJECT	3576
ENVIRONMENTAL LAW ASSOCIATION	0171	GRIQUA NAT. CONFERENCE OF S.A.	3093
E.P. CRIPPLE CARE SOCIETY	2716	GROUNDSWELL	6898
EPISCOPAL DIOCESE	5964	GUN-FREE SOUTH AFRICA	14377
EPOCH: SOUTH AFRICA	4375	GUNFREE SOUTH AFRICA	4680
EQUI-POISE SERVICES	4162	H H CONSULTING	13593
ESKOM	14639	H.I.M IVINE THEOCRACY	1849
EVANGELICAL ALLIANCE OF SA	14473	HABITAT COUNCIL	1419
EVANGELICAL FELLOWSHIP	6699	HABITAT COUNCIL	9125
EVANGELICAL FELLOWSHIP OF S.A.	8526	HEMPSA - PAARL BRANCH	1416
EVANGELICAL LUTHERAN CHURCH	4834	HEROLD GIE & BROADHEAD - ATTOR	7757
EVO BROKERS	0166	HERSCHEL ADVICE OFFICE	11463
EXIT	7106	HERSCHEL LEGAL ADVICE OFFICE	14254
EXPORT, FINANCE & TRADING	5710	HIGHWAY CHRISTIAN ACADEMY	2060
FAIR CIVIL LAW	3796	HIGHWAY COMMUNITY CHURCH	11793
FAKON (FORUM FOR AFR KULTUUR.)	11155	HIGHWAY COMMUNITY CHURCH	2856
FALCON (FRONT FOR ANIM. LIBER)	5029	HIGHWAY LOCAL PEACE COMMITTEE	8032
FAMILY PLANNING	1927	HILLCREST CHRISTIAN FELLOWSHIP	7572
FAMSA	7367	HIS PEOPLE	3821

HIS PEOPLE CHRISTIAN MINISTRIES	14253	JAN S MARAIS HANNAFORD & ASSOC	1084
HLABEKISA DEVELOPMENT FORUM 1853		JESUS LIFE MINISTRIES 9240	
HLABEKISA DEVELOPMENT FORUM	4754	JHBG METROP. ACTION GROUP	0027
HLUVUKANI DEVELOPMENT AGENCY	0173	JOHANNESBURG HISTORICAL FOUND.	8359
HOERSKOOL SECUNDA	10209	JOHANNESBURG STOCK EXCHANGE	2076
HOERSKOOL SENTRAAL	14310	JOHN NEWBURY AUTOMAKERS	14281
HOLISTIC ALLIANCE	1649	JOINT ENRICHMENT PROJECT	1669
HOLISTIC HEALTH CC	7099	JUBILEE COMMUNITY CHURCH	14271
HOLISTIC MASSAGE PRAC. ASSOC.	1413	JUDGE PRES'S CHAMBERS-N.CAPE	6692
HOLY FAMILY PROVINCIAL CONVENT	6348	JUDGE PRESIDENT'S OFFICE	13083
HOME BASED BUSINESS ASSOC.	1909	JUDGES CHAMBERS: SUPREME COURT	2297
HOME ECONOMICS ASSOC. OF S.A.	9859	JUDGES OF THE O.P.D.	7563
HOME ECONOMICS ASSOC. OF S.A.	1418	JUDGES OF TRANSVAAL DIV.OF SUPREME COURT	14687
HOMESTEAD PARK MOSQUE & MADRESSA TRUST	4370	JUDICIAL BRANCH OF THE NAVAJO NATION	14651
HONORARY RANGERS ASS - E RAND	1633	JUNIOR RAPPORTRYER BEWEGING WC	7734
HOPKINS & SOUTHEY	7851	JUSTICE AND PEACE	6340
HOUSE OF ROYAL	2288	JUSTIN JAMES DESIGN	8315
HOUSEWIVES' LEAGUE OF S.A.	1805	KALIKENI FARMERS ASSOCIATION	13315
HOUSEWIVES' LEAGUE OF S.A.	5436	KASSET BEDIENING	13801
HOUSEWIVES'LEAGUE OF S.A.	2907	KHANYISWENI CHILDREN'S HOME	8939
HOWICK ASSEMBLY	6195	KIBBUTZ EL-SHAMMAH	6922
HOXAWE TRIBAL AUTHORITY - CALCUTTA	12211	KINGS COUNCIL KWAZULU-NATAL	14185
HUMAN LIFE INTERNATIONAL	14445	KLIPFONTEIN BOEREVERENIGING	14161
HUMAN RIGHTS COMMISSIO	14261	KLIPSRUIT WEST DEV.FEED SCHEME	2154
HUMAN RIGHTS COMMITTEE OF SA	14176	KONTREIRAAD WITWATERSRAND	11452
HUMAN RIGHTS COMMITTEE OF SA	14324	KOWIE ASSOC OF RETIRED RESIDENTS	14092
HUMAN RIGHTS COMMITTEE OF SA	14350	KROKEDILRIVIER HELPMKAAR VEREENIGING	14282
HUMAN RIGHTS COMMITTEE OF SA	14362	KROONSTAD MUNICIPALITY	1504
HUMAN RIGHTS COMMITTEE OF SA	14667	KULTUURRAAD	0257
HUMAN RIGHTS COMMITTEE OF SA	14326	KURUMUN MUNICIPALITY	12749
HUMAN RIGHTS INST. OF S.A.	1417	KWA-ZULU NTL COALIT. FOR GAY & LES EQ	13263
HUMAN SCIENCES RESEARCH COUNC	3402	KWALITHO	1501
HUMAN SCIENCES RESEARCH COUNC.	0150	KWASIZABANTU MINISTERS' CONF.	3057
IDASA	14061	KWASIZABANTU MINISTERS' CONF.	3818
IDASA	14249	KWASIZABANTU MINISTERS' CONF.	4359
ILITHA LABANTU	1663	KWAZULU HELP MINISTERS INSTITUTE	14644
INDEPENDENT SCHOOLS COUNCIL	0169	KWAZULU-NATAL HUNTING & CONSER	9007
INDEPENDENT SCHOOLS' COUNCIL	14541	KWAZULU-NATAL LOCAL GOVT ADMIN	1503
INFRUITEC	13473	LA LECHE LEAGUE	0019
INST. ADVNT.OF HUMAN RIGHTS	0007	LA LECHE LEAGUE SA	14090
INST. FOR DEFENCE POLICY	2807	LADISMITH BOEREVERENIGING	13636
INST. FOR DEFENCE POLICY	14255	LAERSKOOL EBENHAESER	7805
INST. FOR DEMOCRACY IN S.A.	1428	LAERSKOOL ERMELO	10024
INST. FOR DEMOCRACY IN S.A.	1906	LAERSKOOL KENMARE	7586
INST. FOR HUMAN RIGHTS EDUC.	1429	LAND COMMITTEE	1522
INST. FOR PLANT CONSERVATIO	8400	LANGKLOOF LANDBOU GENOOTSKAP	14657
INST. OF CRIMINOLOGY	3898	LANTERN SCHOOL	7993
INST. OF CRIMINOLOGY	3900	LAPHUMIKHWWEZI	6691
INST. OF MUNICIPAL TREASURERS	7746	LAPHUMIKHWWEZI	6991
INST. OF MUNICIPAL TREASURERS	1250	LAWYERS FOR HUMAN RIGHTS	1819
INST. OF MUNICIPAL TREASURES & ACCOUNTS	14630	LAWYERS FOR HUMAN RIGHTS	3883
INST. OF NATURAL RESOURCES	8377	LAWYERS FOR HUMAN RIGHTS	2634
INST. OF NATURAL RESOURCES	14379	LAWYERS FOR HUMAN RIGHTS	4316
INST. OF TOWN & REG. PLAN.	3948	LAWYERS FOR HUMAN RIGHTS	5739
INST. OF TOWN CLERKS	13094	LEER EN AKTUELE SAKE	1507
INSURANCE OF FINANCIAL SERVICES	14635	LEGAL RECOURCES CENTRE -DURBAN	2039
INSURANCE OF FINANCIAL SERVICES	14424	LEGAL RESOURCES CENTRE	0158
INT.PROV. COORD. TRAFFIC COMM.	2421	LEGAL RESOURCES CENTRE -DURBAN	5449
INTERDENOMINATIONAL COM. ON EDU. (ICET)	12147	LEGAL RESOURCES CENTRE -DURBAN	6682
INTERN FED OF NEWSPAPER PUBLIS	10960	LEGAL RESOURCES CENTRE - PE	5118
INTERN. CHRISTIAN CHAMBER COMM	1362	LIFE ENRICHMENT MINISTRIES	0017
INTERN. COMMITTEE OF RED CROSS	1426	LIFE OFFICER'S ASSOC. OF SA	14631
INTERN. COMMITTEE OF THE RED CROSS	13322	LIGHUIS CHRISTELIKE SENTRUM	4267
INTERN. FUND FOR INTERN. COMMITTEE OF THE RED CROSS	3099	LIGSTRYDERS	0240
INTERN. FELLOWSHIP CHRIST. CHU	2055	LIGSTRYDERS	3608
INTERN. FOUNDED FOR ELEC. SYST	4698	LINK	7206
INTERN. GOJU KARATE FED.	2057	LIVESTOCK WELFARE ASSOCIATION	12009
INTERN. HUMANIST & ETHICAL UNI	9414	LOCAL GOVT. AFFAIRS COUNCIL	1508
INTERN. UNION LAND VALUE TAXATION & FREE	2389	LOERIE AWARDS	14640
INTERNET AFRICA	11088	LOERIE COMMITTEE	14079
INYANGA SOMOYA TRADITIONAL HEALERS ORG.	4187	LOSKOPDAM BOEREVERENIGING	3316
INYANGAS NATIONAL ASSOCIATION	1425	LUGNOS CONGREGATION	6092
INYANGAS NATIONAL ASSOCIATION	8911	LUSIKISIKI BUSINESS ORGANIZAT	10967
IRENE HERBS	4089	M L SULTAN TECHNIKON	1905
ISLAMIC COUNCIL OF S.A.	4067	MABOPANE COMMUNITY	12182
ISLAMIC COUNCIL OF S.A.	0343	MABOPANE COMMUNITY	12287
ISLAMIC COUNCIL OF SA	14182	MABPOANE COMMUNITY	13271
ISLAMIC JIHAD INTERNATIONAL	12361	MADADENI HUMAN RIGHTS ASSOC	9428
ISLAMIC JIHAD INTERNATIONAL	12708	MADRESSA ANJUMAN ISLAMIA OF KHOLVAD	13143
ISLAMIC JIHAD INTERNATIONAL	4027	MAGISTRATE'S OFFICE - JOHANNESBURG	14685
ISLAMIC UNITY CONVENTION	0895	MAHYENO MISSION	8028
ISLAMIC UNITY CONVENTION	14021	MAJLISUSH SHURA AL ISLAMIA	14371
ISLAMIC UNITY CONVENTION	14200	MAJOR URBAN AREARS ASSOCIATION	12306
ISLAMIC UNITY CONVENTION	1692	MANALA TRIBAL AUTHORITY	4665
J & J VEHICLE TESTING STATION	6375	MARITZBURG CHRISTIAN PLAYCENTRE	3927
JABAVU TRAINING CENTRE	6048	MARITZBURG CHRISTIAN CHURCH	10044
JAM'IATHUL ULAMA (NATAL)	0037	MARKET AND OPINION SURVEY	8771
JAM'IATHUL ULAMA (NATAL)	2607	MASTERPLAN CONSULTANTS S A	9999
JAM'IATHUL ULAMA (NATAL)	3439	MAWEWE TRIBAL AUTHORITY	14457
JAM'IATHUL ULAMA (NATAL)	4717	MAYFAIR BAPTIST CHURCH WORSHIP	10045
JAM'IATHUL ULAMA (NATAL)	4736	MAYFAIR JUMMA MASJID/MADRESSA INSTITUTE	3514
JAM'IATHUL ULAMA - TVL.	2802	MAYOR'S OFFICE	8538

MCETENI SP SCHOOL		5529	NAT. HINDU YOUTH FEDERATION	13396
MEDIATION FOUNDATION	6693		NAT. HINDU YOUTH FEDERATION	14387
MEDICAL ASSOCIATION OF S.A.		1764	NAT. HINDU YOUTH FEDERATION	3917
MEDICAL RESEARCH COUNCIL		1459	NAT. INST.FOR PUBL.INTEREST LAW & RESEA	14421
MEDICAL RESEARCH COUNCIL		1510	NAT. INTELLIGENCE AGENCY SA	2618
MEDICINE ASSOC. OF SA (MASA)		13013	NAT. INTER. CONSUL. BODY FOR ORG.LOC.GOV	4618
METHODIST CHURCH KLOOF		7380	NAT. LAND NAT. NAT. LAND COMMITTEE	3373
METHODIST CHURCH OF S.A.		10059	NAT. LANG. PROJECT & PRAESA	11132
METHODIST CHURCH OF S.A.		6223	NAT. MONUMENTS COUNCIL	14598
METHODIST CHURCH OF S.A.		8614	NAT. MONUMENTS COUNCIL	2852
METHODIST CHURCH OF S.A.		6722	NAT. NETWORK ON VIOLENCE AGAINST WOM	14105
METHODIST CHURCH OF S.A.		7534	NAT. PARKS BOARD	13696
METHODIST CHURCH OF S.A.-ALBER		8354	NAT. PARKS BOARD	4043
METHODIST CHURCH OF S.A.-TOKAI		8034	NAT. PARKS BOARD	6899
METHODIST CHURCH OF S.A. PAROW		10207	NAT. PROFESS. TEACHERS ORG. OF SA	14409
METHODIST CHURCH OF SA		10220	NAT. SPIRITUAL ASSEMBLY BAHAI	1524
METHODIST CHURCH OF SA		12206	NAT. TRAINING BOARD	1523
METHODIST CHURCH OF SA		8525	NAT. TV AND VIDEO ASSOC OF SA	12124
METHODIST CHURCH ROBERTSHAM		9126	NAT. UNION OF LAWYERS WORKERS	4297
METHODIST CHURCH SA - DBN NTH		10962	NAT. VELD TRUST	4525
METHODIST CHURCH SA SOUTHDAL		10955	NAT. WOMEN'S RESOURCE & SERVIC	1527
METHODIST CHURCH UMBILO		10223	NAT. YOUTH DEVELOPMENT FORUM	8656
METHODIST WOMEN'S AUXILIARY		10753	NATAL PARKS BOARD	13922
MIDDELBURG EARLY CHILD.EDUCARE		6071	NATAL PARKS BOARD	14381
MIDLAND GRAND TEMPLE		2058	NATALSE CHRISTELIKE VROUEVEREN	1640
MIN. OF PROV. AFFAIRS & CONSTI		12302	NATURAL MEDICINAL SERVICES	6306
MINISTRY FOR GENERAL SERVICES		14690	NEDERDUITSE GEREGFORMEERDE KERK	14689
MINISTRY OF ARTS, CULTURE		0010	NEDERDUITSCH HERVORMDE KERK VAN AFRIKA	14345
MINISTRY OF CONSTIT. DEVLPT.		13652	NEDERDUITSE GEREGFORMEERDE KERK	13190
MINISTRY OF DEFENCE		1513	NEIGHBOUR CARE	9975
MINISTRY OF DEFENCE		8063	NETWORK AGAINST CHILD LABOUR	14622
MINISTRY OF FOREIGN AFFAIRS		2391	NEW NAME MINISTRIES	9563
MINISTRY OF HOME AFFAIRS		1512	NGK	14536
MINISTRY OF HOUSING		13574	NGK CONGREGATION	0210
MINISTRY OF HOUSING		1812	NGK CONGREGATION - SECUNDA	11134
MINISTRY OF LAND AFFAIRS		4019	NGK GEMEENTE: FLORIDA	0266
MINISTRY OF POLICE W. CAPE		14543	NGK GEMEENTE: FLORIDA	0267
MINISTRY OF PUBLIC SERVICE		3810	NGK GEMEENTE: PAROW	2160
MINISTRY OF SAFETY & SECURITY		1517	NGK GEMEENTE: WITBANK PANORAMA	2648
MINISTRY OF SPORT & RECREATION		1511	NGK KERKRAAD	14599
MINISTRY OF THE PRESIDENT		0170	NGK ORANGE FREE STATE	14532
MINISTRY OF TRANSPORT		14101	NGK: ALGEMENE JEUGKOMMISSIE	3646
MISSION SRS OF PRECIOUS BLOOD		9877	NGK: DALVIEW	8350
MOLATELO DEVELOPMENT TRUST		8981	NGK: DURBAN-SUID	9081
MOLO SONGOLOLO		6677	NGK: GARDENIAPARK	9498
MOLOPO WEST FARMING UNION		14234	NGK: POTCHEFSTROOM	2594
MONKEY VALLEY		8586	NGK: SKUILKRANS-PRETORIA	6487
MOOI RIVER PISTOL CLUB		8329	NGK: VRYBURG-WES	6255
MOREGLOED ASSEM OF A F M CHURC		10041	NOORDWES LANDBOU UNIE	12869
MOVEMENT RASTAFARI		7659	NORTH. AREAS PARL. OPTION PROJ	13658
MPONDO KINGDOM COUNCIL		7832	NORTH. AREAS PARL. OPTION PROJECT COMM	13720
MTUBATUBA & DISTRICT WOMEN'S INSTITUTE		14427	NORTHERN AMANDEBELE NAT. ORG.	3230
MUSLIM ASSEMBLY (CAPE)		14507	NORTHERN CAPE AGRICULT SCHOOL	10477
MUSLIM ASSEMBLY (CAPE)		5439	NOVALIS INSTITUTE	0165
MUSLIM ASSEMBLY		4793	NOVALIS INSTITUTE	1521
MUSLIM JUDICIAL COUNCIL (CAPE)		6795	NP GAUTENG WOMENS	14170
MUSLIM PERSONAL LAW BOARD		0174	NTULI, NOBLE AND SPOOR	8770
MUSLIM WORLD LEAGUE		13852	NUTTALL M (RT REV)	12006
MZIZANGWE SCHOOL COMMITTEE		11636	NW PROVINCE: HOUSING, PLANNING	8960
N.CAPE AGRIC. HIGH SCHOOL		8374	OASIS ASSOC. FOR MENTALLY H/C	7327
NADERETRAC		13930	OFFICE FOR SERIOUS ECONOMIC	7191
NAPTOSA		2909	OFFICE FOR SERIOUS ECONOMIC OFFENCES	14378
NAT. ARTS COALITION		7791	OFFICE FOR SERIOUS ECONOMIC	2040
NAT. ARTS INITIATIVE		7794	OFFICE O/T AUDITOR-GENERAL	12191
NAT. ASSOC. OF DEMOCR. LAWYERS		0348	OFFICE O/T PROV. TENDER BOARD (W.C)	13803
NAT. ASSOC. OF DEMOCR. LAWYERS		14283	OFFICE OF ATTORNEYS-GENERAL	8581
NAT. ASSOC. OF DEMOCR. LAWYERS		1509	OFFICE - PUBLIC SERVICE COMMIS	6256
NAT. ASSOC. OF DEMOCR. LAWYERS		8109	OFS TKN: DEPT. OF GOVT. MANAGE	8415
NAT. ASSOC. OF DEMOCR. LAWYERS (W.CAPE)		13677	OLD MUTUAL	1465
NAT. ASSOC. OF DEMOCR. LAWYERS		6700	OLIVE (OD AND T)	1604
NAT. ASSOC. OF DEMOCR. LAWYERS		5459	OLIVE (OD AND T)	1606
NAT. CHILDREN'S RIGHTS COMM.(NCRC)		14130	OLIVE (OD AND T)	1605
NAT. CHILDREN'S RIGHTS COMMIT.		8944	OM SAI RAM	12677
NAT. CHILDREN'S RIGHTS COMMIT.		3083	OPERATION SOUTH AFRICA	10279
NAT. CHILDREN'S RIGHTS COMMITTEE		14317	ORANGE FREE STATE PROV ADMINIS	10179
NAT. COALIT. FOR GAY/LES EQTY		2396	ORANJE VROUEVERENIGING	1603
NAT. COALIT. FOR GAY & LESBIAN EQUALITY		14318	ORDER OF SUPPLIANT FAITHISTS	10720
NAT. COMMISSIONER SA POLICE SERVICE C.T		14610	ORDER OF THE FAITH ALLIANCE	3144
NAT. COUNC. FOR PHYS. DISABLED		5912	ORGANIC HERB FARMS (PTY) LTD	1642
NAT. COUNC. FOR PHYS. DISABLED		8111	ORGANISATION OF CIVIC RIGHTS	5031
NAT. COUNCIL OF SPCA'S		11187	ORGANISATION OF CIVIC RIGHTS	2526
NAT. COUNCIL OF SPCA'S		11730	ORGANISATION OF UNEMPLOYED	4068
NAT. COUNCIL OF SPCAS		2056	OUR LADY OF SORROWS CATHOL CHC	2601
NAT. COUNCIL OF WOMEN OF S.A.		2161	OVERBERG FORUM	4823
NAT. COUNCIL OF WOMEN OF S.A.		8763	PAARDEKRAAL	11135
NAT. COUNCIL OF WOMEN OF SA		13490	PAARL VALLEY HIGH SCHOOL	4365
NAT. COUNCIL OF WOMEN		12153	PACSA	12648
NAT. COUNCIL OF WOMEN OF SA		12001	PACSA	7979
NAT. DEPT. OF AGRICULTURE		5966	PALAEONTOLOGICAL SOCIETY SA	0344
NAT. DINGAKA ASSOCIATION		7911	PARENTS CHILDREN SPECIAL NEEDS	4433
NAT. EDUC. HEALTH & ALLIED WOR		3990	PARROTT M A	13376
NAT. EDUC. HEALTH & ALLIED WOR		2639	PEACE, PROSPERITY DEMOC FOUND.	1610

PENTECOSTAL HOLINESS CHURCH	10244	RESIDENTS & R/PAYERS OF G.GERMISTON	14372
PENTECOSTAL HOLINESS CHURCH 6331		RETIRED MUNICIPAL EMPLOY ASSOC	1616
PEOPLE FOR LIFE	12107	RHEMA MINISTRIES SOUTH AFRICA	8336
PEOPLE FOR LIFE	13243	RHODES UNIVERSITY: POL. SCIENC	1612
PEOPLE'S CULTURAL ORGANIZATION	2522	RIGHT PARTY	14019
PERT	1611	RIGHT PARTY	14040
PIETERMARITZBG EQUALITY GROUP	3369	RIGHT PARTY	14134
PIONEERS VILLAGE COMMUNITY	0006	RITCHIE CIVIC ASSOC.	13163
PLANNED PARENTHOOD ASSOC OF SA	14186	ROBIN H LEE ROMAN ROME HOMESTEAD	10211
PLANNED PARENTHOOD ASSOC. S.A.	10632	ROSEBANK UNION CHURCH	13419
PMARITZBURG AIDS ACTION GROUP	9925	ROUXVILLE MUNICIPALITY	8802
PMB AGENCY FOR CHRIST. SOC AWARE	12192	RURAL FOUNDATION	2637
PMB AGENCY FOR CHRIST. SOC AWARENESS	13923	RURAL LOCAL GOVERNMENT SUMMIT	2741
PMP AGENCY FOR CHRISTIAN SOCIA	13515	RUSOORD-VRYBURG	10293
PONGOLA DEMOCRATIC TEACHERS UN	11158	RUSTENBURGSE VROUEFORUM	14540
POPCRU	1907	S A P O H R	2642
PORTERVILLE LANDBOU KO&PERASIE BEPERK	13444	S P C A	13335
PRAYERS FOR REHAB., ATONEMENT & GOODWILL	13910	S.A. AGRICULTURAL UNION	12004
PRESBYTERIAN & REFORM CHURCH	3962	S.A. AGRICULTURAL UNION	14083
PRESBYTERIAN CHURCH OF SA	5727	S.A. AGRICULTURAL UNION	2157
PRESBYTERIAN CHURCH OF SA	5133	S.A. AGRICULTURAL UNION	3227
PRESBYTERIAN CHURCH OF SA - DBN	14094	S.A. AGRICULTURAL UNION	4577
PRESBYTERIAN CHURCH OF SA	13549	S.A. AKADEM. VIR WETENSK. & KUNS	14167
PRESIDENT'S AWARD - YOUTH	5443	S.A. AKADEMIE:WETENSKAP & KUNS	2577
PRETORIA BUDDHIST GROUP	1609	S.A. ASSOC. AGAINST PAINFUL EX	2155
PRETORIA CAPITAL INITIATIVE	5435	S.A. ASSOC. OF THE AGE OF ENLI	1848
PRETORIA CAPITAL INITIATIVE	7793	S.A. ASSOC. OF UNIV. WOMEN	10057
PRIOR A (MINISTER)	13408	S.A. ASSOC. OF UNIV. WOMEN	6861
PRO-LIFE	7978	S.A. ASSOC. OF UNIV. WOMEN	0015
PROFESSIONAL PHOTOGRAPHERS SA	10005	S.A. ASSOC.AGAINST PAINFUL EXPER	13587
PROJ. FOR STUDY OF ALTERN. ED.IN S.A	12673	S.A. ASTRONOMICAL OBSERVATORY	12492
PROJECT FOR UPLIFTMENT OF PETS & PEOPLE	9506	S.A. BLIND WORKERS	1352
PROJECT MANAGEMENT SERVICE	7378	S.A. BOARD OF JEWISH EDUCATION	14173
PROJECT VOTE, NATIONAL OFFICE	12407	S.A. BOARD OF JEWISH EDUCATION	4724
PROLIFE	14425	S.A. BREWERIES LIMITED	14100
PROTESTANT ASSOC. OF S.A.	7741	S.A. BROADCASTING CORPORATION	3229
PROTESTANT ASSOC. OF S.A.	3811	S.A. BUREAU OF STANDARDS	8541
PROTESTANT ASSOC. OF S.A.	13975	S.A. BUS OPERATORS ASSOC.	3937
PROTESTANT ASSOC. OF SA	7799	S.A. CATHOLIC BISHOPS CONFER. OF SA	14474
PROVINCE O/T N.CAPE-NATURE CONSERVATION	14196	S.A. CATHOLIC BISHOPS CONFER. OF SA	12096
PROVINCE O/T W.CAPE: ADMIN	7350	S.A. CATHOLIC BISHOPS' CONFER.	7880
PROVINCE O/T WESTERN CAPE	9198	S.A. CHAMBER OF BUSINESS	5915
PROVINCE O/T WESTERN CAPE	3868	S.A. CHAMBER OF BUSINESS	5116
PROVINCIAL ADMIN-WESTERN CAPE	7348	S.A. CHAMBER OF BUSINESS	1542
PROVINCIAL ADMIN. WESTERN CAPE	2529	S.A. CHAMBER OF BUSINESS	14681
PROVINCIAL ADMIN. WESTERN CAPE	14256	S.A. CIVIC ORGANISATION	1529
PROVINCIAL DEVELOPMENT COUNCIL	6655	S.A. CIVIL LIBERTIES UNION	1535
PSYCHOLOGICAL SOC OF S.A.	5100	S.A. CLOTHING & TEXT. WORKERS	6793
PUBLIC PROTECTOR	13605	S.A. CLOTHING & TEXTILE WORKERS' UNION	13929
PUBLIC SERVANTS ASSOC OF SA	3995	S.A. COMM. CATER. & ALLIED WOR	1539
PUBLIC SERVANTS ASSOC OF SA	4115	S.A. COMMUNICATION SERVICE	1541
PUBLIC SERVANTS ASSOC. OF SA	14620	S.A. COMMUNIST PARTY	0175
PUBLIC SERVICE COMM.-OFFICE	1602	S.A. COMPLEM. MEDICINE ASSOC.	1645
PUBLIC SERVICE COMMISSION	9818	S.A. CONGRESS EARLY CHILDHOOD	6901
PUBLIC SERVICE LEAGUE OF SA	4330	S.A. CONSTITUTIONAL PROPERTY RIGHTS TRUST	4195
PUBLISHERS' ASSOCIATION OF SA	5929	S.A. CONSTITUTIONAL PROPERTY RIGHTS TRUST	2387
QIBLA	14199	S.A. COUNC. CHILD & FAMILY WEL	1551
QUAKER PEACE CENTRE	11422	S.A. COUNCIL CHILD & FAMILY	1538
QWAQWA WOMEN'S ORGANISATIONS	6869	S.A. COUNCIL CHILD & FAMILY	1537
RAINBOW ORGANIZATION OF UCT	6251	S.A. COUNCIL FOR T&R PLANNERS	4017
RAISETHORPE MUSLIM SOCIETY	14148	S.A. COUNCIL FOR THE AGED	1550
RAND AFRIKAANS UNIVERSITY	1472	S.A. COUNCIL OF CHURCHES - WOMEN'S DESK-KIMBERLEY	0008
RAND AFRIKAANS UNIVERSITY	7329	S.A. COUNCIL OF CHURCHES	14380
RAND AFRIKAANSE UNIVERSITY	13167	S.A. DEMOC. TEACHERS UNION NAT. OFFICE	2943
RAPCAN	1619	S.A. DEMOCR. TEACHERS UNION	12341
RAPCAN	6725	S.A. DOMESTIC WORKERS UNION	9528
RAPE CRISIS	1810	S.A. EDUCATION LAW & POLICY ASSOC.(SAELPA)	14563
RAPPORTRYERS VAN VEREENIGING	2814	S.A. ETHNOMEDICAL ASSOCIATION	10193
RAPPORTRYERSKORPS OF RIEBK WES	3801	S.A. FED FAITH HEALERS ASSOC	9991
RAPPORTRYERSKORPS R/WES	8219	S.A. FEDERAL COUNCIL ON DISABILITY	14673
RAPPORTRYERSKORPS - VAAL RIVER	14402	S.A. FEDERAT. OF MENTAL HEALTH	1540
RAPPORTRYERSKORPS: STELLA	6694	S.A. FEDERATION FOR MENTAL HEALTH	13854
RASTAFARIAN SOCIETY - P.ALFRED	8029	S.A. FEDERATION FOR STATE AIDED SCH(SAFSAS)	4369
RASTAFARIANS OF S.A.	3403	S.A. FOR THE ABOLITION OF VIVISECTION	13513
RBMP CONSORTIUM BUILD & CIVIL	5098	S.A. FOUNDAT. FOR EDUCAT. & TRNG. (SAFET)	14107
RED TAPE COMMISSION	14171	S.A. GUNOWNERS ASSOC. (SAGA)	12640
REDEMPTION CENTRE	3150	S.A. GUNOWNERS ASSOC.	12184
REDHOUSE RATEPAYERS ASSOC.	2801	S.A. GUNOWNERS ASSOCIATION	0149
REEF FORUM	6841	S.A. GUNOWNERS ASSOCIATION	10943
REFORM INTERNATIONAL CHURCHES	0159	S.A. GUNOWNERS ASSOCIATION	3186
REFORMED CHURCHES OF SA	14590	S.A. HEALTH & SOCIAL SERVICES ORGANISATION	14
REGIONAL COURT - PRETORIA	14523	S.A. INST. ECO & ENVIR SCIENTS	10153
REL.SOC. OF FRIENDS (QUAKERS)	1617	S.A. INSTIT. CHARTERED ACCOUNT	3894
RELIGIOUS SOCIETY OF FRIENDS (QUAKERS)	14180	S.A. INSTIT. OF INTEL.PROP.LAW	1908
REMBRANDT GROUP LTD	12130	S.A. INSTIT. OF LAW ENFORCE.	0143
REMBRANDT GROUP LTD	14245	S.A. INSTIT. OF RACE RELATIONS	4304
REMBRANDT GROUP LTD	14668	S.A. INSTITUTE OF POLICE ADMINISTRATION	14260
REMEMBER YOUR CREATOR MINISTRY	5493	S.A. JEWISH BOARD OF DEPUTIES	1957
RENTMEESTERBELEGGINGS LTD	2053	S.A. JEWISH BOARD OF DEPUTIES	2294
REPRODUCTIVE RIGHTS ALLIANCE	12804	S.A. JEWISH BOARD OF DEPUTIES	14190
REPRODUCTIVE RIGHTS ALLIANCE	14524	S.A. LONG DIST. TRANSP. ORGAN.	8341
REPRODUCTIVE RIGHTS CAMPAIGN	7343	S.A. NAT. CIVIC ASSOCIATION	14525

S.A. NAT. CIVIC ORGANIS. MTABATABA BRANCH 1627		STANDARD BANK	0144
S.A. NAT. CIVIC ORGANIS. QUBETHU BRANCH	11619	STANGER SUNNI MUSLIM CONGREGATION	14539
S.A. NAT. CIVIC ORGANIS.: GUBA	3933	STATE ARCHIVES & HERALDIC SERV	3547
S.A. NAT. CIVIC ORGANIS.: GUBA	3180	STEELPOORT CIVIC ASS	1852
S.A. NAT. CIVIC ORGANISATION	14311	STELLENBOSCH COLLEGE	13283
S.A. NAT. CIVIC ORGANISATION	9083	STRAIGHT TALK	2261
S.A. NAT. CIVIC ORGANISATION	12739	STRAIGHT TALK	2264
S.A. NAT. CIVIC ORGANISATION	1533	STUDENTS FOR LIFE	3095
S.A. NAT. CIVIC ORGANISATION	1531	SUCCESSFUL CHRISTIAN LIVING	14295
S.A. NAT. CONSUMER UNION	0160	SUPERIOR CASTING SUPPLIERS (PTY)LTD.	12470
S.A. NAT. CONSUMER UNION	0661	SUPREME COURT - BOPHUTHATSWANA	6878
S.A. NAT. COUNCIL FOR BLIND	5756	SUURMAN RESIDENCE ASSOC.	1803
S.A. NAT. COUNCIL FOR CHILD & FAMILY WEL.	14329	SWEET VALLEY PRIMARY SCHOOL	6727
S.A. NAT. COUNCIL FOR THE DEAF	4727	SWIFT AGENCY	0151
S.A. NAT. DEFENCE FORCE	0018	SWIFT AGENCY	13370
S.A. NAT. DEFENCE FORCE	14188	TAHLE COMMUNITY/FG CHURCH SOC	10274
S.A. NAT. DEFENCE FORCE	4826	TECHNIKON PRETORIA STUDENT MOVEMENT	14506
S.A. NAT. DEFENCE FORCE	14320	TEMBALETU COMMUNITY EDUCAT CTR	1213
S.A. NAT. DEFENCE FORCE	3484	THANTS I	13453
S.A. NAT. DEFENCE UNION	4613	THE COUNCIL OF SA BANKERS	13547
S.A. ONDERWYSFEDERASIE	4820	THE SCHOOLING IN EVOLUTION PRO	13363
S.A. PHARMACY COUNCIL	1782	TRADIT. HEALERS ORGAN. OF S.A.	0008
S.A. POLICE	1536	TRAFFIC AND LICENCING SERVICES - PE	14397
S.A. POLICE	3555	TRANSNET	1211
S.A. POLICY HOLDERS ASSOC.	7038	TRANSVAAL LAW SOCIETY - NORHTERN REGION	4682
S.A. PROPERTY OWNERS ASSOC.	10221	TRANSVAAL MUNICIPAL ASSOC.	0164
S.A. PROPERTY OWNERS ASSOC.	2625	TRANSVAAL MUNICIPAL ASSOC.	3235
S.A. PROPERTY OWNERS ASSOCIATION	13976	TRANSVAAL MUNICIPAL ASSOC.	7353
S.A. REFLEXOLOGY SOCIETY	2864	TRANSVAAL WOMEN'S AGRIC. UNION	4311
S.A. RESERVE BANK	1548	TRANSVAAL WOMEN'S AGRIC. UNION	7570
S.A. SAIVITE ASSOCIATION	2428	TRANSVAAL WOMEN'S AGRIC. UNION	1992
S.A. SOCIETY OF TEACHERS ..	7388	TRANSVAAL WOMEN'S AGRIC. UNION	2412
S.A. STUDENTS CONGRESS	14676	TRANSVAAL WOMENS AGRIC. UNION	9103
S.A. STUDENTS' CONGRESS	1956	TRANSVAALSE LANDBOU-UNIE	7732
S.A. TRADITIONAL HEALERS COUNCIL	14448	TRANSVAALSE ONDERWYSVERENIGING	14366
S.A. VETERINARY ASSOC	7339	TYGERBERG TREK - TRINITY ACADEMY P.MARITZBURG	4526
S.A. VEXILLOLOGICAL ASSOC.	4710	TSHIDISANANG MB SOCIETY	1817
S.A. WOMEN'S FEDERATION	11848	TWELVE TRIBES ORGANIZATION	3866
S.A. WOMEN'S PARTY	0098	UNDERBERG CHRISTIAN FELLOWSHIP	0020
S.A.T.S.A.(TOURISM WORKS)	2303	UNDERBERG CHRISTIAN FELLOWSHIP	1646
S.AFRICANS FOR ABOL OF VIVISEC	3384	UNILEVER	14613
S.AFRICANS FOR THE ABOLITI VIV	0022	UNIRESEARCH FOUNDATION	0162
S.E. WITS FAMILY HISTORY SOC.	1816	UNISA	0893
SACP - NOTHERN PROVINCE	14000	UNISA	1845
SAFC ON DISABILITY	9443	UNISA	5397
SALVATION ARMY (SA TERRITORY)	14098	UNISA	5398
SALVATION ARMY	7860	UNISA CENTRE FOR WOMEN'S STUDY	10634
SAMWU MEDICAL BENEFIT FUND	14407	UNISA - FAC. OF THEOLOGY	14621
SASOL OIL (PTY) LTD	14243	UNISA: ARTS FACULTY	7879
SASPCAN (CHILD ABUSE & NEGLECT	7838	UNISA: LAW FACULTY	1442
SAVAGE, JOOSTE & ADAMS FORUM	13591	UNISA: LAW FACULTY	2041
SCHOENSTATT FAMILY GROUPS	14138	UNISA: POL. SCIENCE DEPT.	8487
SCHOOLING IN EVOLUTION PROJECT	1969	UNISA: POLITICAL SCIENCE	1226
SCRIPTURE UNION INDEP.SCHOOLS	9027	UNIT OF FAMILY PRAC./PRIM.CARE	12411
SECUNDA ECHO	2461	UNITED CHRISTIAN ACTION	1228
SELF EMPLOYMENT INSTITUTE	14600	UNITED CHRISTIAN ACTION	2984
SEMA C M ET AL	13069	UNITED CHRISTIAN ACTION	3251
SEN.TENANTS AFFRS.COMM-VERULAM	8545	UNITED CHRISTIAN ACTION	4493
SENIOR BULLETIN	1546	UNITED CHRISTIAN ACTION	5961
SHAREHOLDERS ASSOC. OF SA	14184	UNITED CIVIC ASSOCIATION	6274
SHAREHOLDERS ASSOCIATION OF SA	1800	UNITED METHODIST CHURCH OF	1227
SHARONLEA PRIMARY SCHOOL	10736	UNITED METHODIST CHURCH OF SA	2373
SIGNS OF THE TIMES	3613	UNITED MUNICIPAL EXECUTIVE S.A	7351
SIGNS OF THE TIMES	2811	UNITED RATEPAYERS LIAISON COMM	7748
SIRAATUL HAQ ISLAMIC MADRASAH	12337	UNITED REFORMED CHURCH IN S.A.	5030
SIVUKILE ASSOC. FOR PEOPLE WITH DISABILI	13723	UNITED SCHOOLS COMMITTEE	6551
SIZANANI SELF HELP PROJECT	2300	UNITED ULAMA COUNCIL OF SA	14059
SMALL BUSINESS DEVPT. CORPORAT	1544	UNIV. W.C:COMMUNITY LAW CENTRE	4170
SMALL BUSSINESS DEVELPT. CORP.	1545	UNIVERSAL CONST. LOBBY	2490
SOC. FOR ABOLISH. OF THE DEATH PENAL.	13781	UNIVERSITY OF BOPHUTHATSWANA	5457
SOC. FOR ADVANCEMENT OF INDEP. LIVING	3974	UNIVERSITY OF CAPE TOWN	1224
SOC. FOR PREVEN. CRUELTY TO AN	2681	UNIVERSITY OF CAPE TOWN	4664
SOC. FOR PREVEN. CRUELTY TO AN	4507	UNIVERSITY OF CAPE TOWN	38657
SOC. OF STATE ADVOCATES	7850	UNIVERSITY OF CAPE TOWN	3521
SOC. OF UNIVERSITY TEACHERS OF LAW	14419	UNIVERSITY OF CAPE TOWN	3244
SOKHULUMI TRIBAL AUTHORITY	1552	UNIVERSITY OF CAPE TOWN	14352
SONKE DEVELOPMENT PROJECT	0990	UNIVERSITY OF CAPE TOWN: CRIM.	7743
SOUTH AFRICAN EMBASSY	9592	UNIVERSITY OF CAPE TOWN: CRIM	3879
SOUTHERN LIFE ASSOC. LTD	8414	UNIVERSITY OF CAPE TOWN: POL.	3324
SPCA NAT.COUNC.	13400	UNIVERSITY OF CAPE TOWN: CHILD	7182
SPOOR & FISHER	0868	UNIVERSITY OF CAPE TOWN: POLIT	6673
ST. FRANCIS CATHOLIC CHURCH	9833	UNIVERSITY OF DURBAN W/VILLE MATHS EDUC.	2404
ST. JOHN'S PRESBYTERIAN CHURCH	9549	UNIVERSITY OF DURBAN-WESTVILLE	1062
ST. JOSEPH'S SCHOLASTICATE	97809	UNIVERSITY OF DURBAN-WESTVILLE	3190
ST. JUDE SOCIETY	9829	UNIVERSITY OF DURBAN-WESTVILLE	0153
ST. KATHERINE'S CHURCH	10722	UNIVERSITY OF FORT HARE	4752
ST. KATHERINE'S CHURCH	3343	UNIVERSITY OF FORT HARE	7495
ST. KATHERINE'S CHURCH	6815	UNIVERSITY OF NATAL	0167
ST. LUKES ANGLICAN CHURCH	12854	UNIVERSITY OF NATAL	1040
ST. PAULUS PRE-PRIMARY & PRIMARY SCHOOLS	3918	UNIVERSITY OF NATAL	1222
ST. PETER MOSS PARISH	10061	UNIVERSITY OF NATAL	8307
		UNIVERSITY OF NATAL: MUSIC DEP	1682

UNIVERSITY OF NATAL: REL. STUDIES	13786	WOMEN'S NAT. COALITION W.CAPE	14268
UNIVERSITY OF ORANGE FREESTATE	9384	WOMEN'S NATIONAL COALITION -WC	11467
UNIVERSITY OF ORANGE FREESTATE	4200	WOMENS NATIONAL COALITION W.CA	6332
UNIVERSITY OF ORANGE FREESTATE	5455	WOODSHOP	2112
UNIVERSITY OF POTCHEFSTROOM	10053	WORD OF FAITH CHRISTIAN CHURCH	14147
UNIVERSITY OF POTCHEFSTROOM	14414	WORKERS ORG. FOR SOCIALIST ACTION (WOSA)	4252
UNIVERSITY OF POTCHEFSTROOM	7631	WORLD CONF ON RELIGION & PEACE	1216
UNIVERSITY OF POTCHEFSTROOM	9078	WORLD COUNC. OF PROFESS. PHOTOGRAPH	14149
UNIVERSITY OF PRETORIA	10272	WORLD FED. OF DOC'S WHO RESPECT HUM.LIFE	14624
UNIVERSITY OF PRETORIA	10957	XHOSA TRIBAL AUTHORITY	9032
UNIVERSITY OF PRETORIA	1212	Y.M.C.A. UNIV. OF C.TOWN	9134
UNIVERSITY OF PRETORIA	1902	YOUTH PARLIAMENT(NATIONAL ST L	10047
UNIVERSITY OF PRETORIA LEGAL ASSOC.	13912	ZION AFRICAN CHRISTIAN CHURCH	5368
UNIVERSITY OF STELLENBOSCH	14193	ZIONIST CHRISTIAN CHURCH	2971
UNIVERSITY OF STELLENBOSCH	14408	ZWARTKOPS TRUST	2939
UNIVERSITY OF STELLENBOSCH	1898		
UNIVERSITY OF STELLENBOSCH	8493		
UNIVERSITY OF STELLENBOSCH	8542		
UNIVERSITY OF THE NORTH	9034		
UNIVERSITY OF THE ORANGE FREE STATE	14666		
UNIVERSITY OF VENDA	14373		
UNIVERSITY OF WESTERN CAPE	0154		
UNIVERSITY OF WESTERN CAPE	0157		
UNIVERSITY OF WESTERN CAPE	7489		
UNIVERSITY OF WESTERN CAPE	1229		
UNIVERSITY OF WESTERN CAPE	2045		
UNIVERSITY OF WESTERN CAPE	8068		
UNIVERSITY OF WITWATERSAND	5448		
UNIVERSITY OF WITWATERSAND	3587		
UNIVERSITY OF WITWATERSAND	4158		
UNIVERSITY OF WITWATERSAND	4277		
UNIVERSITY OF WITWATERSAND	7492		
UNIVERSITY OF WITWATERSAND	7740		
UNIVERSITY OF WITWATERSAND	7744		
UNIVERSITY OF ZULULAND	11075		
UNIVERSITY OF ZULULAND	1225		
UNIVERSITY OF ZULULAND	3379		
URBAN SECTOR NETWORK	14665		
UTICO HOLDINGS LTD	14365		
VAAL LEGAL AID CENTRE	10054		
VAAL LEGAL AID CENTRE	10246		
VAAL RIVER RURAL COUNCIL	0791		
VAN KERVEL SCHOOL	6808		
VEDA DHARMA SABHA	14265		
VEGETARIAN SOCIETY OF SA	4113		
VEGETARIAN SOCIETY OF SA	4807		
VENTER, VON ABO & ASSOCIATES	11919		
VERBRUIKERSTIGTING	14531		
VICTIMS OF CHOICE	14279		
VISIMED HEALTH CARE COVERAGE	6242		
VIVIAN REGINA	6192		
VOLKSTAATRAAD	1890		
VOLKSTAATRAAD	2752		
VOLKSTAATRAAD	4565		
VOLKSTAATRAAD	4761		
VOLKSTAATRAAD	5865		
VOLKSTAATRAAD	7779		
VOLKSTAATRAAD	7968		
VOLKSTAATRAAD	9622		
VROUE FORUM	6189		
VROUE LANDBOU UNIE: SOEKMEKAAR	5115		
W. CAPE LOC. GOVT. ASSOC.	12467		
W. CAPE TRADIT. HEALERS & HERB	9494		
WALK TO TALK	13364		
WALK TO WALK	12401		
WC PROVINCIAL COUNCIL/CHURCHES	11341		
WESGRO	6674		
WESTCAPE DENTAL LABORATORY	14004		
WESTERN CAPE PROPERTY VALUERS	7941		
WILDERNESS FOUNDATION	2861		
WILDERNESS LEADERSHIP SCHOOL	3086		
WILDLIFE SOCIETY	2666		
WILL'S ENERGY SAVERS	8363		
WINSLEY PRIMARY SCHOOL	6627		
WITBANK COALFIELDS MEDICAL AID	3611		
WITS DEPARTMENT OF COMPUTER SCIENCE	13501		
WITS - GENDER RESEARCH PROJECT	6799		
WITWATERSRAND HERITAGE TRUST	0016		
WOMEN AGAINST WOMEN ABUSE	7639		
WOMEN FOR RESPONSIBLE RIGHTS	7355		
WOMEN FOR RESPONSIBLE RIGHTS	7315		
WOMEN FOR RESPONSIBLE RIGHTS	5395		
WOMEN FOR S.A.	5460		
WOMEN FOR WOMEN IN GOVERNMENT	14319		
WOMEN'S BUREAU OF S.A.	2247		
WOMEN'S HEALTH PROJ. (WITS UNIV)	12878		
WOMEN'S LEGAL STATUS COMMITTEE	1215		
WOMEN'S LOBBY	1217		
WOMEN'S LOBBY	1218		
WOMEN'S LOBBY	13782		
WOMEN'S LOBBY	9469		
WOMEN'S NAT. COALITION KWAZULU	14514		

**Petitions - Phase 1**

ISSUE	NO. RECEIVED
ANIMAL RIGHTS	178
ANTI SEXUAL ORIENTATION CLAUSE	16 663
ANTI-GAMBLING	501
ANTI SECULAR STATE/ SECULAR HUMANISM	38 994
ENVIRONMENT	220
FAMILY LIFE (INCL. CHILDREN'S RIGHTS)	320
GUN OWNERSHIP RIGHTS	65
HEALTH (RIGHT TO HEALTH CHOICE)	724
PORNOGRAPHY	3 769
PRO-ABORTION	409
PRO- AFRIKAANS AS OFFICIAL LANGUAGE	1 001 246
RIGHT TO LIFE (ABORTION, EUTHANASIA, DEATH PENALTY)	1 0250
SEAT OF PARLIAMENT - CAPE TOWN	650 000
TRIUNE GOD/ FUNDAMENTAL RIGHTS/ RELIGION	9 623
TRIUNE GOD/ RELIG. GATHERINGS/ SEX. ORIE	1 551
TRIUNE GOD	7 617
TOTAL	1 741 830

**Petitions - Phase 2**

ISSUE	NO. RECEIVED
Pro Death Penalty	186 376
Pro Right to Firearms	14 410
Anti Sexual Orientation Clause	546
Christianity and the State	3 075
Property Rights	4 192
Rastafarian Rights	1 040
Animal Rights	17 600
Anti AbortioN	9 604
Intellectual Rights	4 419
Pro Sexual Orientation Clause	7 032
Comments on the BoR and Preamble	210
TOTAL	248 504



# ***Evaluation Results***

---

## ***Introduction***

---

The Community Agency for Social Enquiry (CASE), was commissioned by the Constitutional Assembly to undertake an evaluation of the CA's media, public participation and education campaigns in 1995. In 1996, CASE 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 media. Piloting was conducted at the offices of CASE 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 CASE.

## ***The sample***

---

A total of 3 800 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 made 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>		<b>Area &amp; dwelling</b>	
Male	50%	<b>Metropolitan</b>	
Female	50%	formal	35%
		backyards	6%
<b>Highest level of education:</b>		informal	6%
No formal education	7%	hostels	1%
Primary	21%	total	48%
Jnr. secondary	31%	<b>Small urban</b>	
Snr. secondary	30%	formal	19%
Tertiary	10%	informal	2%
<b>Age</b>		total	21%
8 - 24 yrs	21%	<b>Rural</b>	
25 - 34 yrs	28%	farmworkers	4%
35 - 44 yrs	22%	farmsteads	27%
45 - 54 yrs	13%	total	31%
55 - 64 yrs	8%		
65 + yrs	8%		

## Province

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 new 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.

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.

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**

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.

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**

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.

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.

### **The CA Logo**

The second most successful item was the CA logo, which read: "You have made your mark, now have your say", and which was shown to all respondents. 41% of all South Africans have seen this logo somewhere, equivalent to some 10,4 million people.

### **Radio Materials**

The radio advertisement was near-identical (in format) to that broadcast on TV, but it reached only 38% of radio listeners. However, radio has a wider reach than TV, with 82% of the population over 18 listening to the radio some of the time. Thus, while the radio advert seems less successful than the TV advert, it was nevertheless heard by almost a third (32%) of the population as a whole (compared with the 35% who saw the TV advert).

There were other programmes on the radio, and we wanted to find out if respondents had heard anything on the radio to do with the new Constitution or the CA. 44% of all radio listeners answered "yes". Within the demographic groupings, there was not much difference between the races and the different areas. However, 8% more men (47%) than women (39%) had heard something, and 14% more younger people aged 18-24 (49%) than older people aged 50 or over (35%) had heard something to do with the new Constitution.

However, the most apparent difference was again within the different educational categories: only 18% of those with no formal education compared to 61% of post-matriculants had heard anything on the radio about the new Constitution.

Similar patterns exist among those who heard the CA radio advert. For example, 46% of 18-24 year-olds, compared to 26% of 50+ year-olds, had heard it. A fifth (19%) of those with no education had heard it, contrasting with almost half (46%) of those with post-matric. 42% of Africans compared to only 26% of whites had heard it.

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

Of the 38% of radio listeners who had heard the radio advert, 70% liked it, 25% thought that it was "OK", and only 5% disliked it. Of those who heard the radio advertisement, 74% learned from it. The only clear difference here was among whites, 26% of whom reported learning nothing from it.

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.

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 Working Draft of the new 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.

### **Constitutional Talk edition including Working Draft of new 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.

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 CASE research has shown that whites (and coloureds) are 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.

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 Community Liaison Programme**

#### **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.

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'.

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.

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.

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 organisatio	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 indicators that the CA campaign has reached a powerful position where the issues it deals with are entering public discourse.

**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).

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. 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.

On the other hand, the CA campaign does seem to have caught the imagination of the younger generation – the people who will live most of their lives under the Constitution currently being finalised. This is set out in the table below:

Do you feel part of the process of drawing up the new Constitution? ("Yes" answers)	
18 - 24 years	56%
25 - 29 years	53%
30 - 39 years	51%
40 - 49 years	42%
50+ years	35%

Having established the extent to which people felt involved in the CA process, we then asked all respondents (whatever their answers had been as to whether or not they felt part of the process) whether they wanted to be part of the Constitution-writing process. Here the results were more positive, with just less than two-thirds (63%) of all adult South Africans expressing the desire to be part of the process. Again, rural dwellers were as positive as metropolitan and urban folk, although people from informal settlements were less positive, with only 56% responding positively to the question. This is low in comparison with other areas, but can be seen as positive as well: if we put it another way, over half of all respondents from informal areas – among the most poverty-struck of South Africans – expressed the desire to be part of the process.

Again, however, fewer women (59%) than men (67%) responded positively to the question, indicating the persistence of the gender differential in the evaluation results. While the same pattern as we saw above obtains across the age spectrum, the difference here is that almost half (47%) of those aged 50 and above want to be part of the process; at the other extreme, however, almost three-quarters (74%) of those aged 18-24 want to be part of the process.

We asked respondents who knew they could write to the Assembly, but had not done so, why they had not done so. The answers are interesting. Only a fifth (20%) noted that they were either "too lazy" or "not interested". The remainder had a range of responses: 17% of respondents (containing a third more women than men, and mainly from informal areas) felt that they "don't know enough" to do so, while 13% reported that they "don't know how" to do so (rural dwellers featured strongly in this group). A further 16% claimed to be "too busy". One in twenty (5%) stated that they lacked the confidence to do so, while 4% 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**

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 CASE 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 Working Draft of the new Constitution**

The CASE survey was in the field a couple of months after the Working Draft of the new 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.

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.

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.

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.

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.

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". 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".

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.

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.

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.

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.

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>

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 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.

## ***Researching the Plain Language Initiative***

Written by Ms Debbie Budlunder and Dr David Everatt

### **Research Instruments**

A range of research instruments was 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 Working Draft.

The full report 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.

### **Recommendations**

The plain language initiative should not be restricted to the Constitution. 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, 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. There 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 be 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 amongst 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 needs 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.

# ***The CA Administration***

---

## ***Introduction***

---

The Administration of the Constitutional Assembly was set up in terms of section 72(1) of the interim Constitution. The first staff structure proposed by the Steering Committee was put to the Constitutional Assembly in plenary session in August 1994.

The Directorate was appointed in August 1994 and proceeded to finalise the staff structure and appointments in consultation with the Chairpersons.

The members of the Directorate are:

- Hassen Ebrahim – Executive Director
- Adv Louisa Zondo – Deputy Executive Director
- Marion Sparg – Deputy Executive Director

## ***Directorate Report***

---

The Directorate has at all times functioned as a close-knit team. Whilst there has been an assignment of duties between the two Deputy Executive Directors, there also had to be a great deal of flexibility.

Without the co-operation and close working style between all three members of the Directorate, it would not have been possible to maintain the pace and quality of work of the Administration as a whole.

The Directorate met as often as possible, formally and informally. Weekly meetings with the Chairperson and Deputy Chairperson also proved essential as the work of the Constitutional Assembly increased. The Directorate maintained an open-door policy to all staff at all times.

Weekly meetings of Heads of Departments took place, providing sharing of information, co-ordination and the establishment of a common vision at critical times in the process.

Grievance and Disciplinary Procedures were drafted after consulting staff at various levels and agreed upon in August 1995.

## ***Mission Statement***

---

The mission statement of the Constitutional Assembly Administration, which was drawn up in 1995 in a workshop with staff from all departments, emphasised that the goal of the Administration was to ensure that a credible Constitution is produced by May 1996, thereby deepening the process of democratisation and transformation in our country.

The values or principles which guided the Administration were:

- Inclusivity
- Accountability
- Transparency
- Team Spirit
- Efficiency and

- Professionalism

## **Assessment**

The Administration set out to attempt to prove in practice that a new type of Public Administration is not only needed, but realisable in South Africa. We believe we have achieved this goal, albeit in a small way.

People were drawn into the Administration from all over the country. They came from very different backgrounds, and with different working styles. This has not been without its problems, but overall, different personalities and qualities have blended into a strong and effective team.

The intensity of the work has also meant that members of staff work much more closely than in comparable working environments. This has contributed to the dynamism and effectiveness of the team as a whole.

One of the difficulties the Administration has faced is the lack of skills in the field of human resource management and development. With hindsight, this is one of the areas that needs strengthening in an institution such as ours.

With regard to training and development, some on-the-job training has taken place in most departments. Efforts were made to provide more comprehensive training in the field of public administration to the entire Administration. A skills analysis was undertaken with the support of USAID and the Civil Service College in Sunningdale, United Kingdom. The work programme of the CA has sadly not allowed us to pursue this training programme.

What has been more gratifying to the Directorate, now towards the end of the process, is the seriousness with which members of our Administration are treated in applications for posts in the public service. We believe this is a credit to the efforts of all staff who have made maximum benefit of the once-in-a-lifetime opportunity that the CA has afforded all of us.

## **Departmental Reports**

The Reports from the Media and Community Liaison Departments are incorporated into the section dealing with Public Participation. The Reports from other Departments appear below.

### **Finance and Administration Department**

#### Objectives

- To develop financial guidelines and procedures for the Administration
- To ensure financial accountability to the CA
- To monitor CA expenditure in respect of budget allocations
- To obtain alternative funding for projects
- To service the Administration in respect of internal administration that includes acquisition of stationery, reception services, travel arrangements and the production of documentation
- To ensure the effective use of all assets
- To maintain personnel records
- To ensure efficient rendering of administrative services and, in respect of

documentation, to ensure effective quality control.

### **Structure**

To achieve these objectives the Department was structured as follows:

#### **Finance Section**

- The Head of Department in consultation with the Directorate was responsible for developing guidelines for financial procedures.
- The Head of Department in consultation with the Directorate is responsible for the authorisation of all expenditure.
- The Head of Department is also responsible for providing the Directorate with regular financial reports. The Directorate will account to the Management Committee and Chairpersons on financial matters.
- The Head of Department also assisted the Executive Director with fundraising.
- The Finance Section is also responsible for authorising all expenditure and ensuring that all regulations are followed in respect of disbursements. They are also responsible for ensuring that payment is made timeously to suppliers.
- The Head of Department is responsible for the management of the department.

#### **Personnel**

The Deputy Head of Department was responsible for all matters pertaining to personnel. This included:

- the maintenance of staff records, leave records and all contractual obligations and payments
- monitoring and payments to part-time staff and
- monitoring the usage of government vehicles in the CA

#### **Administration**

The Administrator was responsible for the acquisition of stationery and supplies. She was also responsible for ensuring the smooth running of the office. Her tasks varied from ensuring that faulty air-conditioners were attended to, to controlling the use of the CA cars.

#### **Travel**

The travel clerk was responsible for making all travel arrangements for CA events and meetings.

#### **Documentation Centre**

The documentation centre worked very closely with the Secretariat Department and was responsible for the bulk production of all documentation. The centre was also responsible for quality control on CA documentation and for ensuring that distribution took place according to agreed schedules.

An enormous amount of documentation was produced in the CA process. Over 18 million photocopies have been made in the existence of the CA from its start up to and including 25 March 1996 !

#### **Service Officers**

Service Officers were responsible for the delivery of documentation to CA members. Their roles, however, were extended beyond this. Some service officers were placed in the Documentation Centre, Mail Room and Submissions Section where they assisted in various tasks.

## **Reception**

Two receptionists were responsible for the switchboard and distribution of faxes.

## **Cleaning and Catering**

Staff in this section were seconded by Parliament. Their duties were to ensure that CA offices were kept clean and to provide tea and refreshments for CA staff, visitors and meetings in Regis House.

## **Members of STAFF**

Fazela Mohammed – Head of Department

Gordon Wilson – Deputy Head of Department

Elizabeth Berry – Administrator

Desmond Samson – Senior Documents Clerk

Faiqah Anthony – Administrative Clerk

Liverne Bruce – Travel clerk

Leslie Fick; Mzukisi Halu; Mzukisi Nginigini;

Christo Brand – Documents clerks

Joclyn Morgan; Vuyiswa Qonde – Receptionists

Gertrude Britz – Administrative Secretary

Irefaan Amierodien; Bonita Isaacs; Theunis Jansen; Elroy Jacobs; Chanita Koen;

Ebrahim Masoet; Danny Le Roux; Daphne Stuurman; Bridgette Samson; Jasmine

Nicholls; Moeniba Vraagom; Deon Solomons; Sylvia Peterson; Sienna Lufele;

Denzil Bowman; Tingo Lubalalo – Service Officers

Basie Johnson; Sylvia Linda Bovana – Cleaning and Catering Staff

## **Achievements**

Most of the staff had developed a strong commitment to the constitution-making process. This was evident at every level of staff, when necessary staff made themselves available to work overtime to ensure that deadlines were met.

The flexibility of the Administration has allowed it to function effectively. By avoiding rigidity and strict adherence to job descriptions, the CA has managed to utilise its human resources effectively.

The administration section of the CA has functioned effectively. For most part, documentation has been produced within deadlines. The quality of documentation has been of a high standard. There were very few instances of poor presentation once we passed the initial learning phase.

We have managed to complete our work under budget. The CA's expenditure reflects the objectives of the CA. The bulk of the budget has been spent in the public participation programme.

The general administration has been relatively problem free. For most part, the administration has functioned smoothly.

Service Officers have all been given the opportunity to obtain computer literacy. Most service officers are now computer literate, with in-house training obtained from the computer section. Service officers were also afforded the opportunity to assist with other administrative tasks to give them more rounded work experience.

## **Difficulties**

Due to the pace of work, personnel management has not always been satisfactory. Personnel management has been ad hoc, with policies being developed as

problems arose.

The security system installed by the Public Works Department was one year late. There were also difficulties with the move from Church Square to Regis House when Public Works transposed the number of desks required. Instead of allocating 91 desks, only 19 were allocated!

In respect of our relationship with Parliament, we have managed to sort out most of our teething problems. There were some difficulties because of the difference in organisational culture. The pace of work in the CA could not always be accommodated. However, on the whole the relationship has been a satisfactory one.

### **Recommendations from Head of Department**

In many of the newly established institutions, the staff are not familiar with established practices of the public service.

Temporary institutions such as our Administration, which have a limited lifespan and work under very tight time frames, should be regulated in terms of their tasks. The procedures should be adapted so that short-term institutions are able to function effectively with more suitable regulations.

The Department of State Expenditure should develop a user-friendly reference manual with financial guidelines. These guidelines should give details on deadlines for budget submission, updates and so on. They should also spell out all procedures related to finance and administrative requirements

Guidelines on the recording of assets should also be developed. Another option could be the establishment of a management team at the Department of State Expenditure which will set up temporary institutions. They would give these institutions guidelines on staff employment. They would also ensure that in the establishment of these institutions, the experiences of other administrations are recorded to ensure that costly mistakes are not repeated.

## **The Law Advisors**

### **Composition and Structure**

The office of the CA Law Advisors was made up as follows:

- Adv Gerrit Grove – Deputy Chief State Law Advisor. The Department of Justice generously seconded Adv Grove to the CA upon our request.
- Ms Namawabo Msizi – CA Law Advisor. An attorney, who was a partner in a firm of attorneys and specialised in labour law when she joined the CA.
- Mr Mvuyo Ndziba – CA Law Advisor. At the time of his employment with the CA, he was serving articles of clerkship with a firm of attorneys in Durban; and
- Ms Nonkosi Cetywayo – assistant Law Advisor, who had recently graduated from Law School with an LLB degree at the time of her employment.

Within a few months of their operations, the Law Advisors concluded that the departmental structure, with a Head of Department co-ordinating work, managing the affairs of the Department and leading a team of Departmental staff, was not appropriate for them. They consequently proposed their reorganisation to function in a collegiate structure. The proposal was accepted and it was envisaged that the

Law Advisors would function as a team and create systems such as regular Law Advisors' meetings to effectively co-ordinate their work and to ensure the empowerment of the less experienced advisors.

### **Functions**

The main functions of the CA Law Advisors included the following:

- Giving legal advice to the structures of the Constitutional Assembly, particularly the Constitutional Committee and, to a lesser extent, Theme Committees. This advice took the form of instantaneous advice and researched opinions on a wide range of issues that arose as members of the Constitutional Assembly deliberated on the new constitutional text and the process of drafting the text;
- Giving legal advice to the CA Administration on matters that arise in the ordinary course of its work; and
- The drafting of constitutional text. The Constitutional Assembly agreed on a drafting process in terms of which Technical Committees of the various Theme Committees were responsible for preparing initial draft formulations reflecting the recommendations of the respective Theme Committees. The Constitutional Committee considered the initial draft formulations and the relevant Theme Committee report, and instructed the Law Advisors to revise or refine the draft formulations to reflect the views of the Constitutional Committee. In some instances, however, Technical Committee members were not legal drafters and the Law Advisors were required to prepare initial drafts for consideration by the Theme Committees. Measures were taken to ensure proper consultation between Law Advisors and the respective Technical Committees.

### **Assessment**

By Adv Louisa Zondo, Deputy Executive Director

As a result of time constraints applying to the entire constitution-making process, the Law Advisors were placed under tremendous pressure to deliver opinions, advice and draft formulations to the various structures of the CA, within deadlines that were almost impossible to meet. In most instances, however, the deadlines were met.

Reduced focus on direct training and supervision of the work of the less experienced Law Advisors was the price paid for ensuring delivery on instructions, in spite of time constraints. Opportunity for regular Law Advisors' meetings was reduced and more reliance was placed on the expertise of Adv Grove and therefore his ability to deliver work within stipulated deadlines.

Learning opportunities for Law Advisors still existed and they were encouraged to consider thoroughly constitutional text even after it had been submitted to structures of the Constitutional Assembly, to identify possible technical problems and to suggest solutions for political concerns to be addressed by formulations. The Law Advisors also had the opportunity to join the Technical Refinement Team and to contribute to the technical refinement of the constitutional text.

An overall assessment of the work of the CA Law Advisors reveals that the Law Advisors executed their responsibilities with high levels of professionalism, efficiency and expertise. Although the CA was not able to obtain the full benefit of the capabilities of the less experienced Law Advisors, they made significant contributions to the constitution-making process.

## **Network Manager**

The main task of the Network Manager was to make it possible for the users to work as efficiently as possible with the computers and provide all possible assistance to the Administration.

In order to achieve this the following tasks were performed:

- A network was established and staff were educated on its most efficient use.
- Staff were also given assistance in solving problems.
- Standard document formats were designed and a “house style” developed to ensure quality documentation.
- Liaison with suppliers and government departments.
- Several databases were developed to assist various departments in the Administration in their work. This included:
  - A database for categorisation of submissions from the public, for the Secretariat Department, and
  - A database of organisations in civil society for the Community Liaison Department.

## **ca database Project**

The Department was also responsible for the establishment and maintenance of the Database Project stationed at the University of Cape Town. This project ensures that all information and documentation of the CA is available via the Internet.

The CA Database Project was established to promote transparency and ensure easy access to the process by utilising some of the most advanced technology available. It was made possible with a donation from the British High Commissioner.

The project consists of a searchable database which now contains eight collections:

Topic	documents
Response to the Working Draft	1 443
Submissions to the CA	9 702
CA committee minutes	482
CA committee reports	152
Draft constitutional text	110
Multi-party negotiations, 1993: Submissions	333
Multi-party negotiations, 1993: Reports	108
Interim Constitution in chapters	25
Total	12 288

Some of the statistics give an indication of the extent of the interest in South Africa’s constitution-making process.

- People from 46 countries contacted the CA via the Internet from 1 January 1996 to 17 April 1996.
- A total of 6 655 people connected to the CA Home Page in the same period.
- This translates into an average of 107 people per day.
- The countries which indicated the most interest were the United States,



- Germany, Canada and Australia.
- The most sought-after information included the various working drafts of the new Constitution, the CA's Annual Report, press releases, the CA newsletter Constitutional Talk, and briefings on the process.

Members of staff: Gert Reijs – Network Manager  
Mxolisi Kolanisi – Assistant to Network Manager

## ***Research Department***

---

### ***Objectives***

---

The Research Department was established for the purposes of providing research and technical support to the committees and structures of the Constitutional Assembly, and to compile, file, catalogue and manage the official archive of documentation generated in the constitution-making process.

### **Resource centre**

A resource centre with research infrastructure, including Internet access to databases and a library of legal materials, was established. Access to the documentation centre was available to all members of the CA, government officials, researchers and members of the public. The centre and its resources were used by local and international researchers and scholars studying the process. Researchers based at overseas universities made extensive use of the Internet and e-mail facilities to request technical information from the department.

### **Research work**

The department provided research assistance and support to the drafters and the Technical Refinement Team and to the Panel of Experts. This work consisted of memoranda and reports on substantive aspects of the Constitution and the provision of information on particular issues to technical advisors for use in the preparation of memoranda. Many of these documents were tabled in meetings of the sub-structures of the CA.

The research conducted by the department in the period February 1995 – April 1996 broadly related to the following areas of the Constitution:

- the preamble
- the supremacy clause
- the structure and layout of the constitutional text
- various rights and formal provisions of the Bill of Rights
- Self-determination
- cultural councils
- constitutional amendment and review procedures
- co-operative governance
- the Public Protector
- the Human Rights Commission
- the Electoral Commission and electoral systems
- security services
- courts and the administration of justice

The Department assisted in the classification of submissions from organisations and the general public for the purposes of distributing these to Theme Committees.

The Department also assisted in the following projects:

- the formulation and refinement of the initial work programmes for Theme Committees
- with the Law Advisors jointly produced a pilot draft constitutional text
- prepared planning papers on various aspects of the constitution-making process
- briefing documents on aspects of the process for government departments and other departments of the CA.

### **Database project**

The Research Department together with the Network Manager jointly negotiated with the University of Cape Town for the establishment of the UCT database project, the network site for CA documentation. The department assisted in developing a home page for the CA Internet site and a classification sheet for submissions.

The Head of Department was involved in the coordination and planning of the administrative support for the Multilateral talks at Arniston in April 1996.

### **CA Archives**

A major area of responsibility for the department has been the filing and cataloguing of all CA documentation for archival purposes. A fuller report on this aspect of the department's work will follow at the end of the process. The CA intends to produce a comprehensive index to the materials in the archive once its work in the Administration is completed.

#### **Staff**

D Powell – Head of Department

S Lebethe – Deputy Head of Department

N Bulani-Gaba – Librarian

I Mzilethi – Librarian

S Sack; G Maseko; M Paleker; F Essop; M Mackier; J Ndile; T Nthle – Part-time staff/research assistants

## ***Secretariat Department***

---

### ***Objectives***

---

The Secretariat's main function was to service all the political structures set up by the Constitutional Assembly in general, and the Theme Committees in particular. This involved minuting all meetings, ensuring that venues were booked, catering arrangements made, that members were informed and the preparation and distribution of all necessary documentation.

The Secretariat also lent support with regard to the implementation of the public participation programme, particularly in relation to the convening of public hearings and the constitutional public meetings.

A major objective of the Secretariat itself was to put in place a democratic style of operation with the full involvement of all members of the Secretariat in the running of the department.

### **Achievement of Objectives**

Servicing of structures of the Constitutional Assembly

For each Theme Committee, two Secretariat members were employed – a Managing and Minute Secretary. From February 1995 to August 1995, an

additional Administrative Secretary was employed for each Theme Committee to assist the Secretariat and in particular to take responsibility for liaison with and assisting Technical Committees.

A schedule of meetings was developed for all structures of the Constitutional Assembly. Although the schedule was flexible, it proved to be an essential guide for all involved in the process.

Each Theme Committee developed its own programme of work in relation to its subject matter. Their progress was monitored by the Directorate and the Management Committee.

As the Theme Committees main task was to process submissions from political parties within the Constitutional Assembly and the general public, the Secretariat assisted Theme Committee members and the Technical Advisors to process all submissions received. These were then developed into a report and presented to the Management Committee and Constitutional Committee.

Although public hearings were largely organised by the Community Liaison Department, some public hearings were directly organised by the various Theme Committee Secretariat members. The main objective of these hearings was to receive inputs from various stakeholders involved in a particular field.

The Management Committee, Sub-Committee and Constitutional Committee also operated according to a schedule and were all serviced by members of the Secretariat.

## ***Submissions Section***

---

In order to process all submissions received, a submissions section was set up within the Secretariat. Their main tasks were as follows:

- To receive all submissions from both political parties and the public
- These would be numbered, photocopied, distributed and sent to the University of Cape Town for scanning into the database project
- The submissions would be categorised, summarised, compiled into packs and distributed to members of the CA
- Regular statistical reports and updates were provided to the various structures of the CA

Staff: Lucille Meyer – Head of Department; Thandi Mngadi-Kgosidintsi – Deputy Head of Department; Laetitia Meter – Department Secretary

Submissions: Paul Davids – Administrative Co-ordinator; Fairuz Mullagee – DataBase Co-ordinator; Shamiela Booley – Data Capturer; Hilton Gallant and Audrey Longwe – Administrative Assistants; Bridget Sinovich and Charlene Alfred – Data Capturers

Theme Committee staff: These staff are listed in the section of the report dealing with Theme Committees

Constitutional Committee and Management Committee:

Margaret Keegan – Minute Secretary

### **Assessment by Head of Department**

To a large extent, the Department functioned fairly well in that the Theme Committee work programme was completed on time and the submissions processed as best we could, bearing in mind that the experience was a completely new one.

The Secretariat members who serviced the Theme Committees did their tasks well. The Secretariat staff had the double challenge of not only ensuring the efficient functioning of committees, but having to carry out all their duties in full public view. The Secretariat met these challenges and were often complimented on the smooth running of all activities and meetings. In most instances, it was the Secretariat that became the “face” of the CA as far as politicians were concerned. They set a high standard for all CA staff to follow.

The Secretariat furthermore regarded the training and development of their members as very critical – to the extent that many training workshops were held throughout the process. Regular staff meetings were also held to consult and receive mandates.

### **Lessons**

The issue of democratic participation in public administration is important. We need to ensure that structures are less hierarchial and allow for more participation.

The submissions process should have been thought through more carefully, in that we should have also explored how other organisations or departments have dealt with the processing of submissions. However this process has enabled members of the public to participate in a historic process. It served as a great educational process.

We also learned that a human resource department is vital if we one employs many staff members. What we had lacking was a clear human resource planning process. Very often, not having skilled personnel to deal with human resource issues results in frustration amongst many staff members. This is therefore vital for any institution setting up an operation like ours.

The process was a tremendous learning exercise. The administrative systems we set up worked extremely well. Our emphasis on accurate and well-presented documents was extremely useful in that this is something one could carry forward into any new work environment.

# ***Financial Report***

---

A financial report for 1994/95 was presented in the Annual Report of the CA published in May 1995. A complete financial report for the year 1995/96 will be presented with the final Report of the Constitutional Assembly.

## ***Expenditure for the period***

---

1 April 1995 to 31 March 1996

### ***STAFF COSTS***

---

***R12,350,422***

Salaries	R10,826,874
Part-time staff	R319,016
Secondment costs	R310,197
Service Bonus	R590,187
Medical Aid	R2,991
Vehicle Allowance	R156,444
UIF	R7,910
Leave Purchases	R31,457
Staff Training/Staff Costs	R37,863
Staff Hire Costs	R18,797
Temporary Staff	R48,686

### ***ADMINISTRATIVE COSTS***

---

***R3,164,070***

Photocopiers, leasing and paper	R1,213,841
Stationery	R467,075
Computer stationery	R88,410
Postage and courier costs	R156,507
Petty cash	R44,140
Equipment hire, pagers, cellphones	R117,443
Telephone	R382,852
Subscriptions, books, journals, papers	R153,724
Bank Charges	R64,561
Translations	R419,217
Transcriptions	R50,400
Parking, CEP Coordinators	R5,900

### ***TRAVEL COSTS***

---

***R783,453***

Car Hire costs	R79,030
Accommodation, MPs	R13,742
Flights, MPs	R100,915
Subsistence and Travel Allowances, MPs	R68,563
Flights, staff	R302,406
Subsistence and Travel Allowances, staff	R33,208
Accommodation, staff	R185,589

### ***PUBLIC PARTICIPATION PROGRAMME***

---

***R30,922,400***

Public Relations	R27,040
------------------	---------

Radio Advertising	R4,667,990
Television Advertising	R1,385,208
Press Advertising	R5,156,385
Production, Advertising	R3,117,467
Outdoor Advertising	R4,252,839
Working Draft of 22 November 1995, Distribution and Printing	R4,923,501
Constitutional Talk Television	R483,930
Constitutional Talk-line	R22,800
Printing of Constitutional Talk, posters and Summary of Working Draft	R1,936,512
Distribution of Constitutional Talk	R857,694
National sector hearings	R723,366
Public Meetings	R903,032
Constitutional Education Workshops	R31,694
Catering	R195,750
CASE Evaluation	R935,780
Subsistence and Travel Costs	R105,969
Flights	R658,484
Accommodation	R424,716
Government Garage Vehicles	R112,243

**TECHNICAL COMMITTEES &  
PANEL OF EXPERTS**

**R2,748,054**

Professional Fees	R2,056,413
Travel and Subsistence	R32,418
Flights, advisors	R432,997
Accommodation, advisors and Panel	R226,226

**EQUIPMENT**

**R133,236**

Equipment, filing cabinets, shredder etc	R95,407
Computer equipment	R37,829

TOTAL EXPENDITURE	R50,101,635
TOTAL BUDGET ALLOCATION	R59,423,636
FUNDS AVAILABLE	R9,322,001

**Foreign funding report**

The following funds were raised by the CA for costs relating to the public participation programme:

DONOR	received	pledged
Royal Danish Embassy	R1,250,000	R2,500,000
Swiss Development Corporation	R3,500,000	R3,500,000
Swedish Embassy	R6,000,000	
Netherlands Embassy	R4,500,000	
TOTAL	R4,750,000	R16,500,000

A full report on the expenditure of this funding will be provided with the final Annual Report in September 1996.

# ***Concluding Remarks***

---

By Hassen Ebrahim, Executive Director

In August 1994 when the Directorate first met after its appointment, we were totally overwhelmed and daunted by the nature of the tasks that lay ahead of us. We were naturally also excited to be appointed to the leadership of the administration of such an historic exercise. We, however, did not anticipate that we would have all grown, matured and learnt so much in this process. Perhaps the magic of it all lies in the lessons that are to be learnt.

For the first time in our history are we learning the true meaning of “participatory democracy”. The experience of this exercise has taught us the importance of the involvement of as many South Africans as possible in the process of law making. Indeed, the very meaning of ‘democracy’ is being redefined. Not only is it necessary that citizens should be allowed to elect their political representatives, but they should also be engaged in the process of law making. The research that we have carried out clearly indicates that this is what ordinary citizens want. The legitimacy of the law, especially the Constitution which is the supreme law, lies in the ownership of it by the people that it is to apply to.

The best defence of democracy is the establishment of a culture of human rights and constitutionalism. But, neither can be achieved unless people are empowered to ensure it. Until recently, it has been argued that civil society should be engaged and consulted in governance and law making. Our experience suggests that this should be taken a step further. Ordinary citizens should also be catered for. Our research clearly shows that the impressive media and educational programme that we embarked upon had enormous benefits. In fact, there is a great demand for more public education about the Constitution and other laws in general.

A general feature of the new democracy has been transparency, openness and accountability. The principle of inclusivity is therefore important. However, it is not good enough to have structures that are open to the public. Sometimes it is necessary to actually reach out to the people themselves. Thus, while the meetings of the Constitutional Assembly were all open, it was necessary to ensure that, in the initial stages of developing the basic ideas to be contained in the Constitution, we held meetings with people in the different parts of the country.

In addition, the Constitutional Assembly has broken new ground in government communications with the skillful use of technology. The use of the Internet, computerisation and through its newsletter, Constitutional Talk, the CA continuously reported on all activities and ensured that the work of constitution-making achieved a media “hit-rate” of 73%, second only to the SABC’s local government election programme. More than two-thirds of South Africans know something about the Constitutional Assembly. Very clearly, it is not sufficient to rely on commercial media to educate people about governance and law-making. It is therefore imperative for institutions to make a concerted effort to carry out this task directly.

As for the administration, the formidable challenges met, the efficiency of the services provided and the professionalism of staff have clearly proved that there is a different way in which the public service could be structured and run. Clearly, a non-racial administration that is reflective of our society does not mean that we have to compromise on efficiency and professionalism.

Structurally, the efficiency of the administration lay in the fact that all members of staff were clearly focused on an exercise which they were able to feel a part of. Difficult work and intense pressure were beaten by team spirit and a clear understanding of the importance of the task that they were undertaking. Staff saw themselves not as functionaries but as an integral part of the production and delivery of the Constitution.

Finally, working so closely with the political representatives as we did, all of us in the administration learnt a great deal. In this regard, I believe that all members of our administration, and particularly the Directorate, developed the greatest respect for our Chairpersons. The quality of their leadership and the brilliance of mind was a source of continuous inspiration to all. Without their leadership, it would have never been possible to deliver this Constitution and engage the vast majority of our people in the way we have done.

Compiled by : Marion Sparg, Deputy Executive Director

Managing Editor: Pat Govender

Copy Editors: Sarah Hetherington

Layout: Adli Jacobs (Typeface Media)

Photographs: Subash Jeram, David Golblatt (p1) Rashid Lombard (p8)

Graphis: Typeface Media