

**Report
on
Constitutional Reform Activities**

*by
Radio
Dialogue*

*in
Bulawayo*



*August
to
December
2009*



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August-December 2009

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1. Introduction

This report is a record of the results realised following work done by the Radio Dialogue Trust between August and December 2009 on the constitutional awareness programme. It is imperative that the writing of any democratic constitution should involve the active participation of citizens, so that there is some claim to the ownership of the constitution. Only then can we expect a situation where citizens are protected by the constitution, and citizens in turn protect that same constitution from abuse by powerful people.

The aim of this project was to prepare the citizens of Bulawayo for the consultative process to be conducted by the constitutional outreach teams. This is only part of the work initiated by many civil society organisations, for promoting constitutional awareness and literacy among citizens, hoping thereby to enhance citizen participation in the constitution making process.

The activities which Radio Dialogue engaged in during this period include Focus Group Meetings, Roadshows, and Live Broadcast Meetings. These activities were chosen for their interactive nature, thereby encouraging maximum participation.

Some of the key topical issues that came up during these activities are the following:

- The Kariba Draft must not be considered in this process.
- The term of office for the President must be limited.
- There must be devolution of power so that provinces are allowed to exercise some authority over local issues and resources. This was cited with the accessibility of such critical documents as birth and death certificates as well as passports and other important documents which are usually processed in Harare.
- Freedom of expression must be guaranteed i.e. more newspapers and radio stations should be allowed to operate to promote plurality and diversity of voices and views.
- Presidential powers must be reduced such that a president does not unilaterally make key decisions including appointment of key government officials.
- There must be clear separation of powers such that the executive, the legislature and the judiciary operate without encroaching or overlapping on each other.
- Free and fair elections must be guaranteed in the constitution.
- Youth must be represented adequately in parliament, i.e. by someone who is a youth, who understands and appreciates problems that young people face.
- The constitution should grant equal leadership opportunities for both men and women.
- There must be an age limit for a President, not older than 65 years old.
- A provision in the constitution for MPs and other elected government officials to give stipulated report back to their respective constituencies.
- Youth grants and income generating programmes.
- Recognition of people living with HIV and AIDS.
- There must be constitutionally guaranteed free basic primary education.
- There must be a constitutionally guaranteed right to basic primary health care.
- Respect for human rights such as the right to life.
- The constitution must curb corruption in economic affairs by guaranteeing transparent and accountable public and private finances.

- The constitution should guarantee the right to decent gainful employment for all employable citizens.
- People also complained about the fact that Zimbabwe does not have her own currency as a sovereign nation.
- They complained about their money which got locked up in banks and urged the central bank to do something about it.

2. Executive Summary

Between August and December 2009, Radio Dialogue conducted a series of 58 Focus Group meetings, 13 Road Shows, 1 Live Broadcast Meeting in 20 high density suburbs of Bulawayo, and 1 Youth Conference in the city centre. These events were all aimed at raising awareness about the forthcoming constitution writing process about to take place in Zimbabwe. A total of approximately 5 000 people attended the Roadshows, while 1 921 attended the Focus Group Meetings. Some of the meetings were held with special interest groups, i.e. the elderly, youth, those living with HIV/AIDS.

During these events the Radio Dialogue team noted down the issues raised, and the gender and age distribution of the participants. A clear pattern of priority issues emerged, with a significant difference in the types of issues raised by women, by men, and by youth.

Political issues raised at Focus Group Meetings (mainly by men)	% of meetings where this issue was raised
Devolution of power	73%
Limited Presidential Term of Office	59%
Freedom of Expression	57%
Presidential powers must be reduced	45%
Separation of powers	43%
Kariba draft constitution must not be used	39%
Equal leadership opportunities for both men and women (raised by women)	30%
Youth must be adequately represented (raised by youth)	25%

Social issues raised at Focus Group Meetings (mainly by women)	% of meetings where this issue was raised
Free basic primary education	48%
Respect for human rights	39%
Free and or affordable health	39%
Local languages must be given equal recognition and regard	20%
Respect for tradition and cultural values	16%

3. About Radio Dialogue

Radio Dialogue is a community radio project that seeks to provide a radio broadcasting service to the men, women, boys and girls of the city Bulawayo, Zimbabwe's second largest city and surrounding areas. Radio Dialogue was established in the year 2001 and is still a project because it does not yet have a broadcasting licence. Efforts to get a broadcasting license have yielded no positive results so far. Neither the former government nor the current inclusive government have been forthcoming on this important issue.

There are no independent radio stations licensed to broadcast in Zimbabwe, so during the eight years of its existence, Radio Dialogue has been using alternative legitimate means of 'broadcasting'. These include distributing radio programmes on CD and cassette, Roadshows, 'Live Broadcast Meetings', Focus Group Meetings, Family Fun Days, Cultural Festivals, and Youth drama, public speaking, poetry, short story and art competitions. Through these activities, Radio Dialogue has carried out a number of campaigns over the years. These include 'What is Community Radio?', 'What is Democracy?', 'Get registered to vote', 'Voting is Cool', 'Clean up Bulawayo', 'Cholera awareness', "No to ZINWA" campaign.

Through these various means of "broadcasting," Radio Dialogue has achieved significant results. Radio Dialogue's lobbying and advocacy for media reforms resulted in the Broadcasting Services Act being amended in 2007, and thus made a little friendlier towards private and especially community broadcasters. The Go- Register and Go-Vote campaigns encouraged young people first to register, then to vote in the March 2008 harmonised elections. These campaigns resulted in Bulawayo realising a significant increase in the number of new voters.

Bulawayo recorded the least number of cholera cases due to awareness campaigns carried out by Radio Dialogue in conjunction with the Bulawayo City Council. The proposed water reticulation takeover by Zimbabwe National Water Authority (ZINWA) from the Bulawayo City Council was rejected. Members of the community of Bulawayo organised different activities to address this issue. Bulawayo citizens had no confidence in ZINWA providing clean water for the residents since the water authority had failed to do so in other cities in the country, a situation that central government eventually acknowledged.

The solid community base that Radio Dialogue has established encourages and allows community participation. There is an elected seven person Radio Dialogue committee (Ward Committees (WC) in each of the 29 wards of the city of Bulawayo. These committees are responsible for initiating and organising Radio Dialogue activities in their wards, for advertising these events, mobilising the people, guest speakers etc, as appropriate to the particular event. They generally mobilise members of the community to rally towards a certain topic or issue. It is from each of these committees that Radio Dialogue draws members of its General Council, which is the highest decision- making body of the organisation.

Radio Dialogue is owned and controlled by the community of Bulawayo. The General Council is the supreme decision-making body of the organization. It is made up of twenty nine members, each individual representing their respective Ward and a number of institutional members who should not exceed 29. A Board of Trustees provides policy

direction and protects the assets of the organisation on behalf of the community, with decisions ratified by the General Council. Tasked with day-to-day activities of Radio Dialogue is the secretariat led by Executive Director. Full time staff members and students on attachment from various tertiary institutions provide the necessary support and skills.

Vision

A non-partisan, participatory community radio station that strives to have well informed citizens.

Mission Statement

Radio Dialogue seeks to provide an information sharing platform through:

1. creating a space where citizens are able to freely express themselves;
2. lobbying and advocating for greater freedom of expression;
3. Initiating and implementing programmes that promote development (both social and human) and cultural issues.

Strategic Objectives

1. Empowering the Citizens of Bulawayo through Radio
2. Facilitating Community Mobilisation on relevant community issues
3. Promoting Development and Cultural Issues
4. Organisation Development
5. Resource Mobilisation:
6. Lobbying and Advocacy- so that the airwaves can be liberalised and media diversity and pluralism can be realised in Zimbabwe.



4. The Role of Community Radio in the Constitutional Process

Community Radio stations are an integral aspect of democracy and development of African societies. Their main purpose is to promote development in the community, and participatory social development. Community Radio is concerned with improving the quality of life in the target community, by responding to their needs and highlighting these needs for the authorities to address. The medium of Community Radio is also viewed as a progressive tool that seeks to promote social change, democracy, and the growth and preservation of local cultures by facilitating community participation. It is also a very critical tool and mechanism for accountability, which in itself is a crucial aspect of a functioning democracy.

Fulfilling this role of promoting community participation and democracy, Radio Dialogue brought the issue of the constitution making process to the community of Bulawayo.

Before embarking on the implementation of the project, and in order to assist in evaluating the project, a baseline survey was conducted among the general population of Bulawayo to ascertain the levels of understanding concerning the constitution. This survey revealed that 60% of the respondents were not aware of provisions of the current Zimbabwe constitution, and 89% were not aware of the current constitution making process.

For those 11% who were aware of the current constitutional process, the major sources of information, were mainstream media systems such as television and radio, as well as state controlled newspapers. However, the survey also revealed that people are not exposed to alternative media systems, thus the justifiable need to bring alternative platforms to the people for them to partake in the current process.

All parties involved in the current constitution making process agree that this process should be 'people driven', but this is almost impossible if we have a community that is not aware of the process. In order to achieve maximum participation in the constitution making process, it is necessary to involve ordinary citizens, rather than easily mobilised civil society activists, and to get these citizens to focus on choosing which of several alternatives they want to see in the new constitution.

One of the means of ensuring that the process is people driven is by making use of the alternative media facilities, structures and experience of Radio Dialogue, in order to get the people of Bulawayo to understand what a constitution is, what is its purpose, and to participate in the process of making the new constitution. It is the power of the medium of radio to reach a wide spectrum of different social classes of people, thus becoming a key tool in the constitution making process.

5. The History of the Zimbabwean Constitution

What is a constitution?

“It is the supreme body of laws in any nation. It is a law which states who shall govern us and how they shall govern. It includes our rights as citizens and it overrules any law or action by any part of government which contradicts it.”

(Legal Resources Foundation, Understanding the Constitution Making Process- pamphlet No. 1.)

This is one of the most critical questions, about which, by the end of our intervention, the community of Bulawayo would hopefully be better informed, and so be able to participate constructively in the making of the new constitution.

The Lancaster House Constitution and its amendments

Zimbabwe is currently using the 1979 Lancaster House negotiated constitution, which was basically a power transfer document to facilitate transition from colonial rule to Independence (self-rule). It is important to note that this constitution was written without input and contribution from the majority of Zimbabweans, though Zimbabweans continue to be ruled and governed under that same document.

This constitution has been amended nineteen times. The first eighteen of those amendments were passed after no significant debate, when the ruling Zanu(PF) party controlled the necessary two thirds Parliamentary vote for the first 28 years of Independence. The latest amendment (Amendment 19) was passed in 2009 giving legal effect to the Global Political Agreement (GPA).

The ‘Kariba Draft’

In 2007, without any consultation of the general population of Zimbabwe, the three political parties, Zanu(PF), MDC-T and MDC-M, drafted what is now referred to as “Kariba Draft” constitution. This draft constitution was signed by the three party leaders on September 30, 2007 and is acknowledged in article 6 of the GPA.

The Current Constitutional Process

Over the past ten years, the political contestation between the major political parties took place in the context of serious economic and political instability, human rights violations and break down of the rule of law in Zimbabwe. Following an inconclusive election of March 2008, a political settlement was negotiated by the three political parties facilitated by South Africa on behalf of the regional bloc, Southern Africa Development Community (SADC). A political agreement was signed by the three political parties on September 15, 2008 to give birth to a new inclusive government which was formed five months later.

One of the key requirements of the GPA, is the formulation of a new people driven democratic constitution within eighteen months of the formation of the inclusive government. In May 2009, work on the constitution making process started with the setting up of a Parliamentary Select Committee and the start of wider consultations. The requirement that Civil Society be part of the constitution making process gave impetus to the Radio Dialogue Constitution Making Awareness Programme. Many other Civil Society organisations also embarked on different activities around the new constitution making process.

This report presents a number of major issues with broad agreement that came up as during the Radio Dialogue outreach activities in the community of Bulawayo during the final five months of 2009.

6. The Radio Dialogue Constitutional Awareness Programme

As a community based organisation (CBO), it was appropriate that Radio Dialogue engage the community of Bulawayo in creating constitutional awareness, encouraging citizen participation in the constitution making process, creating debate on the drafting of the constitution, and informing the public on the procedures being followed by the Parliament-led team.

During the programme, members of the community were able to express their views on what they what issues they would like to see addressed in the supreme law of our land. This constitutional awareness programme is one of many Civil Society contributions to this important process. We recognise and appreciate the work done, and still being done, in the same area by other Civil Society Organisations, with several of which we have synergistically collaborated in order to achieve better results.

6.1 Objectives

The objectives of these constitutional awareness activities were:

- To inform the public on the constitution making procedures to be followed by Parliament as well as Civic Society.
- To encourage a culture of dialogue on national issues.
- To provide a platform for debate on the drafting of a new constitution.
- To collect people's views on the issues that they want to be included in the Constitution.
- To contribute meaningfully to the worthy cause of drafting a new Constitution by mobilising the community to agitate for their views to be included.

6.2 Methods of Engagement

The period between August and December 2009 saw Radio Dialogue Trust, in conjunction with the Legal Resources Foundation (LRF), engaging in serious civic education focusing on the constitution making process. This programme was targeted at the whole community of Bulawayo with an estimated population of about 1.5 million men and women, both young and old. While it is difficult to reach such a number of people through outreach programmes, the project was implemented with an in-built mechanism to encourage a multiplier effect through informal conversations at home, at the work place and recreational venues. The programme was composed of different outreach activities enabling communities to become aware of current issues regarding the constitution making process, and allowing them to express their views and aspirations.

6.2.1 Preliminary Considerations

In deciding which approach and activities to employ in promoting and encouraging popular participation in this project, the following factors were brought into consideration:

- **The level of organisation** in the community, i.e. how and to what extent is the community structurally organised. The use of already well established Radio Dialogue Ward Committees took advantage of the administrative boundaries of wards in the City Of Bulawayo. Bulawayo is divided into 29 wards, and in each of these, Radio Dialogue has a seven person elected committee representing that specific community.

- **The role of other CSOs** in the targeted community. Our cooperation with the Legal Resources Foundation was motivated by the realisation that other CSOs have a collaborative role to play for better reach and results.
- **The role of women** in the community. Many of the Focus Group Meetings were held during the day, and based in individual homes; this suited women, who are busy preparing supper for their families in late afternoon and evening. On the other hand, most of their male counterparts were more easily reachable after working hours in late afternoon and evening since most of them are employed or engaged in some work to fend for the family.
- **History of previous conflict.** The participation for many of the people was influenced by negative emotions arising from the early 1980s political disturbances in Matabeleland, as well as political instability during the elections of 2000, 2005 and 2008. As a result, many of the contributions incorporated serious in-built anger and frustration.
- **The degree of homogeneity** of the community. The fact that Bulawayo was for a long time regarded as the country's industrial hub means there are a significant number of people who originate from outside of Bulawayo – people whose various cultures and traditions continue to differ e.g. most notably in language. This means that we had to tailor-design our interventions in order to be able to respond to this dimension of heterogeneity.

6.2.2 Focus Group Meetings (FGMs)

These are small meetings which attract an average of fifty people per meeting from the locality to engage on an interactive learning experience, facilitated by a competent and experienced facilitator. By the time of compiling this report, 51 FGMs had been conducted in the community of Bulawayo, reaching and allowing some 1 921 men and women directly, with high possibility of multiplier effect through informal conversations with relatives and friends after the meetings.

There were 58 successful meetings held at people's homes, smaller groups meeting inside, larger groups meeting in the yard outside the home. This made it easy for neighbours to coordinate and participate fully since they were acquainted with each other. This arrangement also made it possible to cater for differences of language of the participants, using Ndebele, Shona or English as appropriate, making it easy for people to understand the deliberations.

The meetings managed to reach 1,921 people, with an average of 33 people attending each meeting. Of the total, 68% percent were women while 32% were men. The number of women was high because the meetings were held in their homes and at a time convenient for them. As a result, they had time to attend to the meetings without worrying about time they spent away from their duties. It is also conventional that women do not open up in meetings held with males in Community Halls, while focus group meetings provide a perfect opportunity to look into their concerns in the familiar environment of being at home. Also the culture of fear which has been instilled in people over the years was reduced because people were meeting with their neighbours. This also had the advantage of building confidence in the participants. By and large, the environment created in the meetings allowed for maximum participation from both women and men.

6.2.3 Live Broadcasting Meetings (LBMs)

Because we are a community radio project waiting to broadcast on frequency modulation (FM), we decided to tackle the issue of constitutional awareness by “taking radio to the people” through LBMs. At this meeting, we set up radio studio equipment in a community hall, where participants had an opportunity to engage a legal practitioner and a local Member of Parliament, Senator Gladys Gombami. The participants asked very critical questions through a “phone-in” segment, where the use of a roving microphone reminded both the guests and participants the need for community radio stations in the promotion of community development.



6.2.4 Road Shows

These are awareness promotion shows staged at local shopping centres. A specially designed vehicle is used, with sides opening out to form a stage, with a public address system to reach the public in attendance. Attracting an audience with music and dance, the presenter then engages the public from the stage, articulating the basic aspects of the constitution and constitution making process. This type of activity is designed for purposes of awareness creation. We also distributed LRF pamphlets as well as T- shirts printed with easy-to-remember messages.



Thirteen community road shows were held addressing the topic of the constitution, and reaching close to 5,000 men and women. Of these, 55% were male, 45% female, with 60% being young people between the ages of 15 years and 25 years old, and the remaining 40% above 25 years. The reason for a larger number of men and young people is the fact that in most African societies, men and young people are more out-going than women and adults.

All these shows were staged in low-income high density residential areas where people do not always have ways of entertaining themselves. The shows take an edutainment approach, thereby attracting a lot of people in these residential areas.

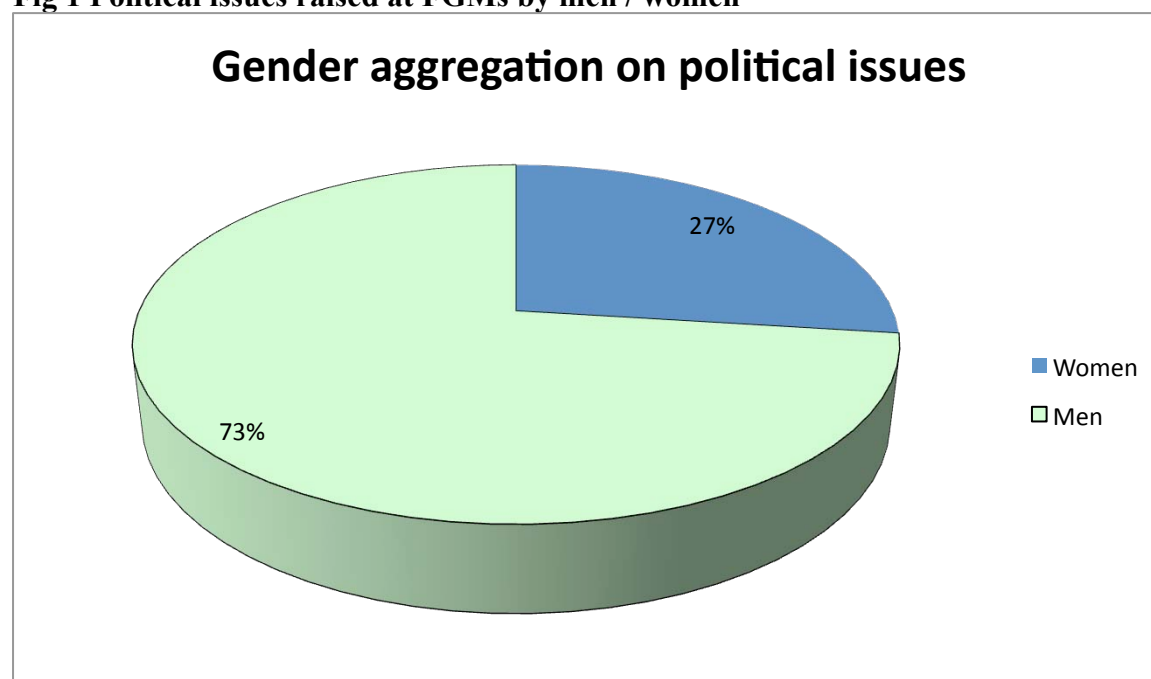
7. Issues raised at Focus Group Meetings

7.1 Political issues

All the meetings brought out pertinent political issues meant to restore political stability and democratic values in the country, of which there was widespread agreement on:

Issues raised at 46 meetings	Prevalence	
Devolution of power	33	73%
Presidential Term of Office	27	59%
Freedom of expression	26	57%
Presidential powers must be reduced	21	45%
Separation of powers	20	43%
Kariba draft constitution must not be used	18	39%
Equal leadership opportunities for both men and women	14	30%
Youth must be adequately represented	12	25%

Fig 1 Political issues raised at FGMs by men / women



Devolution of Power

At almost every meeting participants raised devolution of power as one critical area that needs to be addressed by the constitution. They said that power is too centralised at present and concentrated in one area and office. This is especially inconvenient since most public services such as the issuing of identity documents are done in Harare. As a result, it is difficult for people from the region to have access to such services. They mentioned that this tendency of centralising power was hindering development in Matabeleland and other regions.

Proposals:

- There must be devolution of power so provinces are allowed to exercise some authority over local issues and resources. This was cited with reference to the accessibility of critical documents, such as birth and death certificates, as well as passports and other important documents which are usually processed in Harare. Similarly with natural resources found in the locality e.g. timber in Tsholotsho, tourism in Matabeleland North, Victoria Falls etc. : such resources should benefit the region or the nation, rather than just Harare.

Limited Presidential term of office

The majority of participants saw this as a major contentious issue. There was general agreement that there is need to review the electoral process so that it reflects democratic electoral principles allowing for change in leadership at some point. The most favoured arrangement for the Presidential term was two five year terms with elections in between, though there were some who favoured one five year term.

Several participants said the President should have an age limit of 65 years, on the basis that this is the official age limit for civil servants in Zimbabwe. They said the constitution should provide such an age limit because people who are under the age of 65 are deemed to be fit to work for the public service.

In addition to the age limit, a significant number of people said that the constitution should allow for the people to recall a President when they felt that he/she no longer respects the people's interests. They cited the example of the former South African President Thabo Mbeki, who was recalled from his position as President after he fell from the favour of his party.

Participants were not fully aware of the difference between a Presidential and a Parliamentary system, or that the South African head of state is not directly elected by the public. Without any experience of the different systems, it is very difficult for people to know whether they prefer a presidential or parliamentary system.

Proposals:

- The term of office for the President must be limited.
- There must be an age limit for a president, not older than 65 years old.
- There must be an effective mechanism for removing a head of state/government.

Freedom of Expression

Many participants said there was need to repeal unfavourable and media-unfriendly laws that constrict information flow within the country. They cited such laws as the Access to Information and Protection of Privacy Act (AIPA), which led to the closure of a number of media houses such as the Daily News. By and large, people feel that as long as the current amended Lancaster House constitution is still intact, along with such legislation as AIPA, , then the participation of the people in formulating a new people-driven democratic constitution will be seriously curtailed.

In addition to this, people said lack of different media was making it difficult for them to get adequate information on the Constitution making process, which will limit their choices so that they fail to make informed decisions.

Proposals:

- Freedom of expression must be guaranteed i.e. more newspapers and radio stations should be allowed to operate to promote plurality and diversity of voices and views.

Presidential Powers must be reduced

Participants lamented that the current amended Constitution grants excessive powers to the office of President. They said the President has been given too much power and too many roles, to the extent that the different arms of state are compromised in the manner they conduct their duties. For instance, they cited that the President is the Chancellor of all State Universities, Commander of the Defence Forces, and appoints critical people into positions such as the Supreme Court Judges. They argued that this scenario gives the President too much power to the extent that some parastatals are now being led by members of the uniformed forces.

Proposals:

- Presidential powers must be reduced such that a president does not unilaterally make key decisions including appointment of key government officials.
- There must be clear separation of powers such that the executive, the legislature and the judiciary operate without encroaching or overlapping on each other.

Kariba draft constitution must not be used

Participants lamented the lack of information on the Constitution. They said government was not serious in this Constitution making exercise, as evidenced by their not having access to copies of possible constitutions, or public information on how the process was going to be implemented. Participants also bemoaned the complete media blackout on the Constitution making process. As a result of inadequate information on the Constitution, they said they were not able to make comparisons through critical analysis of alternative constitutions, such as the Kariba Draft and the National Constitutional Assembly (NCA) draft.

Participants deplored the fact that the Constitution making process is being spearheaded by politicians. They said this process is a fraud, divorced from the people it purports to represent, and will lead to a political settlement for the elite. They proposed that the process must be driven by the people and coordinated by an independent body.

Proposals:

- The Kariba Draft must not be used as a basis for this process.
- People should have access to copies of the Kariba Draft and NCA Draft.

Gender Equality

Most women said the constitution should recognise and make special mention of the need for gender equality in Zimbabwe and the ability for women to get identity documents for the children even if there is no man. They said it was difficult at the moment for them to acquire such documents as they are required to bring a man.

Proposals:

- The constitution should grant equal leadership opportunities for both men and women

Youth

The youth complained that their interests are not represented in central government, where those with a portfolio for youth affairs are out of touch with the youth and are often several decades older than the youth whose interests they are expected to serve.

Proposals:

- Youth must be represented adequately in parliament i.e. by someone who is a youth who understands and appreciates problems that young people face, perhaps a young person.

Elections

Several participants complained: “Since the emergence of the Movement to Democratic Change in 1999 there have never been free and fair elections.” Elections in Zimbabwe have been marred by violence, vote rigging, kidnapping and murder. The people said there is a need for the constitution to provide concise guidelines to ensure free and fair elections.

Proposals:

- Free and Fair elections must be securely and effectively guaranteed in the Constitution.
- A provision in the Constitution for MPs and other elected government officials to give reports back to their respective constituencies.

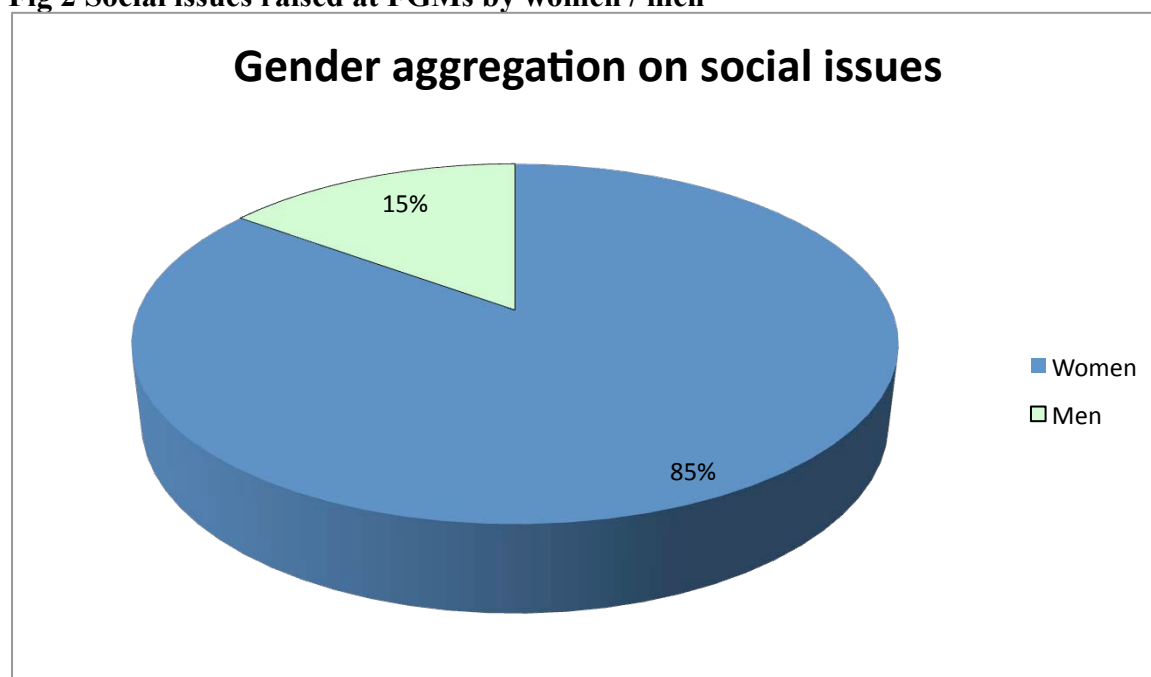


7.2 Social Issues

In all the meetings women raised pertinent social issues aimed at restoring human rights and leading to a decent life in the country, with which there was widespread agreement on:

Issues raised at 46 meetings	Prevalence	
Free basic primary education	22	48%
Respect for human rights	18	39%
Free and or affordable health	18	39%
Local languages must be given equal recognition and regard	9	20%
Respect for tradition and cultural values	7	16%

Fig 2 Social issues raised at FGMs by women / men



Respect for Human Rights

Several participants spoke of their experience of suffering political violence in the rural areas during election campaigns, lack of freedom to speak their minds, go to particular places, associate with particular people, attend events, read certain newspapers.

Proposals:

- Respect for Human rights such as the right to life.
- Right to protection by the law, the police and the courts.

Education

This was frequently raised as an important issue that needs to be provided for in the Constitution as a basic human right. Participants said that the constitution should provide for the right to free education, especially for primary education. They lamented the high fees that were required to send children to school, saying this was tantamount to denying children the right to education. Issues relating to children were raised mostly by women who spend most of their time with the children who have been sent away from school or when teachers are on strike.

Proposals:

- There must be constitutionally guaranteed free basic primary education.

People with special health needs

Participants wanted the Constitution to recognise those with special needs, such as people living with HIV and AIDS, the physically challenged, and the elderly who cannot fend for themselves. They highlighted that such groups are leading distressful lives, and are not recognised by society because the Constitution does not clearly guarantee their special needs. Some said there must be a social grant provided by government to those with special needs so that they can lead decent lives.

Proposals:

- Recognition of people living with HIV and AIDS
- There must be constitutionally guaranteed right to basic primary health care.

Youth

The youth mentioned the need for a Constitution that reflects the importance of future generations. They said that, upon completion of their school days, the Constitution must provide for a government grant. This grant should be a catalyst for youth to engage in income generating programmes which will contribute to national economic development and growth. They cited the example of the Government of Botswana which has a strong youth policy that alleviates unemployment within the country by absorbing the youth into the working sector as soon as they finish their school days.

Proposals:

- Youth grants and income generating programmes for the youth.

7.3 Economic Issues

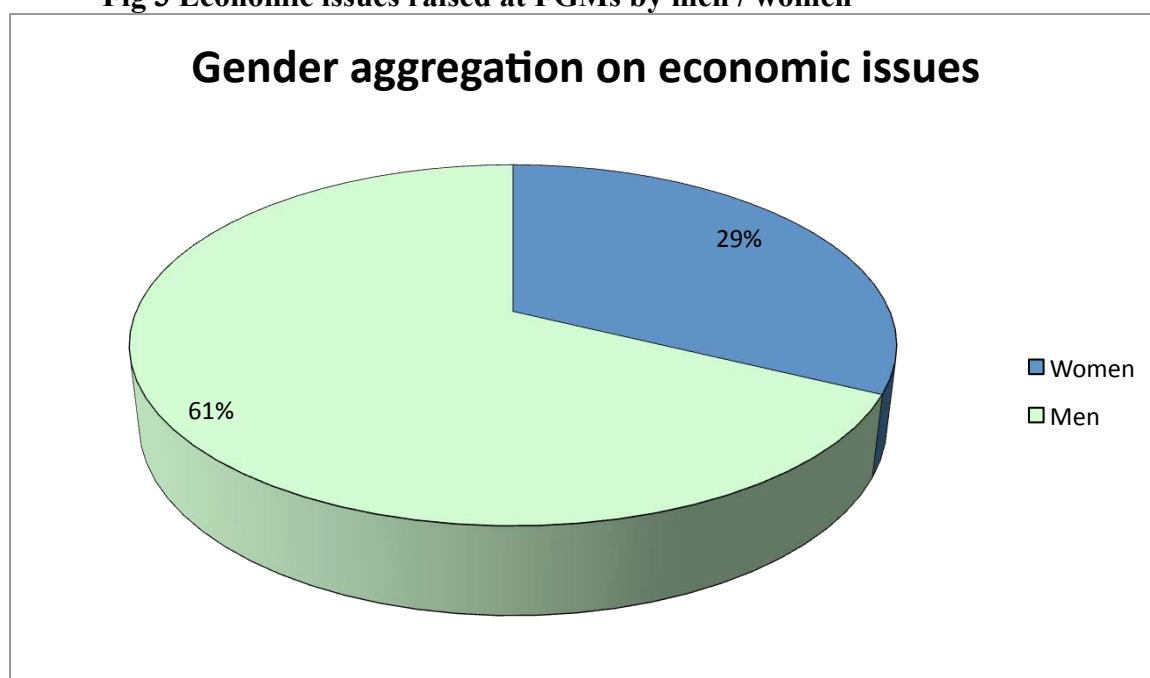
Participants were concerned with the economic downturn in the country over the past decade. They said their savings were washed away by inflation and quasi-fiscal policies introduced by the Central Bank in the recent years. They insisted that the new Constitution must provide for the protection of rights of workers, creation of employment and rooting out of corrupt officials in the public sector.

Participants complained about their money which got locked up in banks, and urged the Central Bank to do something about it. They also complained that as a sovereign nation, Zimbabwe does should have her own currency.

Proposals:

- The Constitution must guarantee transparent and accountable public and private officials to curb corruption in economic affairs.
- The constitution should guarantee the right to decent gainful employment for all employable citizens.

Fig 3 Economic issues raised at FGMs by men / women



8. Issues raised at Roadshows & Live Broadcasting Meetings

Objectives

The objectives of the Roadshows were similar to those of Focus Group Meetings. However while Roadshows are effective in campaigning to mobilise people of cause, and to get across some basic information to the public, they give less scope for people to express individual views.

The main objectives of the Roadshows were therefore

- To raise awareness about the Constitution making process,
- To promote public participation in the drafting of a new Constitution, and thus
- To ensure that the new Constitution is, as far as possible, people driven, so that
- The Constitution serves the ordinary people's interests.

Results

A total of 13 Roadshows were held at different shopping centres in following Wards: W1 (City Hall), W9 (Mpopoma), W10 (Emakhandeni), W11 (Lobengula), W12 (Njube), W13 (Pumula North), W14 (Lobengula), W16 (Luveve), W18 (Magwegwe & Marisha), W22 (Sikhusile Nkulumane), W27 (Old Pumula), W28 (Cowdray Park).

Each road show attracted between 200 and 500 people, both men and women, though the majority were young people between the ages of 15 years to 25 years. About 5 000 people were reached through the Roadshows. The level of participation was high with most people managing to grasp the concept of constitution.

There are several issues that were raised by members of the audience which they want included in the new Constitution.

These issues include:

Limited Presidential term of office

The reduction in the length of the President's term of office, as people believe that 30 years is too long, which is why the office ends up being abused.

Respect for Human Rights

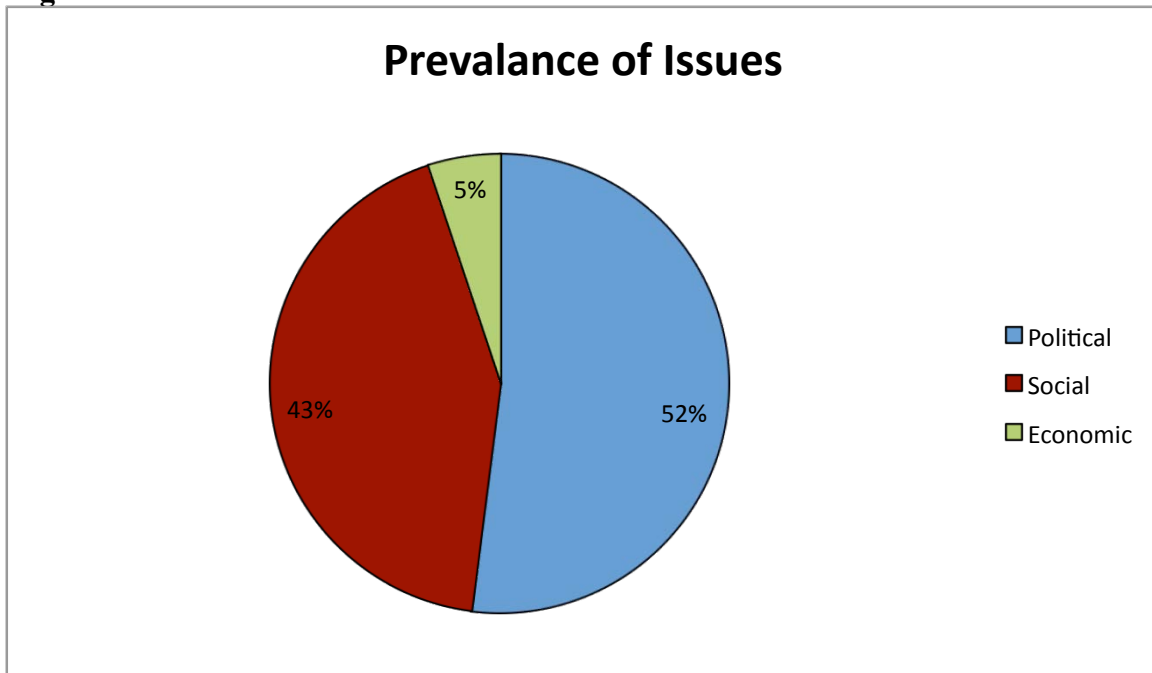
There was also a lot emphasis on the issues of human rights mainly the right to health, education, shelter and food. Members of the audience felt that Zimbabweans have been deprived of these rights such that most people are no longer aware that they have these rights.

It was also noted that there are quite a number of good human rights provisions in the current constitution but the problem is a culture of intolerance, lack of rule of law, bad governance and general lack of constitutionalism.

Devolution of Power

As a result of centralising power in Harare, resources are not fully and fairly distributed across the country leading to serious underdevelopment of some parts of the country.

Fig 4



9. Analysis of Results

9.1 Level of Understanding and Articulation

By raising these issues people showed that they have an understanding of the principles of democracy that they wish to see, but which are not presently being followed in the country. Through their suggestions for the ideal Constitution they would like to have, some people showed a high level of understanding of the Constitution and related issues.

But there are other issues that were raised by people that showed that they did not have a clear idea of what a constitution is. For example, some suggested that, ‘requesting police not to harass people who drink outside a bottle store as long as there is a toilet nearby’, be included in the constitution.

Then there were issues which were clearly constitutional matters, but not presented in ‘constitutional language’, thus needing interpreting and rewording. This presents the problem of different or even biased interpretation, by those who are recording participants’ contributions.

For most of the participants, their contributions were a reaction to the challenges that they are currently facing, or have previously suffered, or both. The crises of recent years caused untold suffering to the people in different spheres of life. Inflationary pressure, political violence and victimisation, displacement, fear, lack of basic necessities such as decent health and education facilities, human rights abuses, and shortages of basic commodities were some of the challenges that many Zimbabweans suffered. These challenges had a serious bearing on participant’s contributions during this project. Therefore it is not surprising that, rather than focusing on clear constitutional issues, the starting point for most of the participants was their memory of their problems in recent years, not all of which can be solved by constitutional reform.

9.2 Variance between issues raised by Men, Women, Youth

In both Roadshows and Focus Group Meetings, there was a notable difference in the issues raised by women from the issues raised by men. Women were mostly worried about issues that immediately affect them and their children, such as the physiogenic needs which include food, education, shelter and other issues of social nature.

Their male counterparts mostly raised issues that are politically driven and related to good governance, democracy, political human rights and rule of law. These issues include the description of the roles of the three arms of government that are meant to be working independently but are not. There was also the issue of devolution of power: that, for the sake of equal chances of development of all parts of the country, power should not be centralised. Many men argued that rule of law must not be compromised, and that there must be a reduction of Presidential powers and length of term of office, so as to ensure that the country is ruled democratically.

Serious hard-core political issues were often cited by male participants, with their female counterparts mostly citing serious social issues such as rights regarding to basic primary education, primary health care, social grants for the elderly, physically and mentally challenged, orphans and other socially and economically vulnerable groups. Women were

basically concerned with social safety nets for the marginalised members of our Zimbabwean society. In most cases where women raise economic and political issues, it is where there is a clear and direct link with social issues. For example unemployment or political violence or the local currency issues affect women socially. This is especially so because, in most developing communities particularly in Africa, women tend to be more inclined to the roles of care-givers than are their male counterparts, which makes women more sensitive and concerned with the marginalised and under-privileged groups of society. For instance, through home based care programmes, women are more involved with caring for the HIV/AIDS affected persons, and they look after the elderly and orphans, some of whom may no longer afford to go to school.

On the other hand, due to the way they are socialised, men are more out-going and more politically inclined than their female counterparts. In most developing nations male levels of political participation is higher than that of women, hence more men are concerned with first level generation rights. This explains why more men were citing concerns of a political nature such as the right to demonstrate, to vote, to speak, separation of powers, rule of law, Presidential term of office, devolution of power, etc.

Young people were also interested in the discussions of the Constitution, frequently expressing the view that the current Constitution does not fully cater for them. They raised issues such as creation of employment, and the need for political representation by people of their own age who understand their needs and concerns.

9.3 Other Observations

Because this constitutional debate is taking place almost immediately after a serious political and socio-economic crisis, Zimbabweans have a serious lack of confidence and trust, especially in politicians and in the various arms of government. The following observations were made:

- People, either as individuals or organised groups, have a general lack of trust and confidence between in any form of government.
- The majority of our participants believe that having a powerless President will solve the problems arising from having a democratically deficient government.
- The majority of our participants seem to have lost trust and confidence in our uniformed forces, especially the police force and the army, to the extent that some think we can do without any uniformed forces.
- There is still deeply embedded fear among some of our participants.

The levels that political polarisation had reached in this country before the formation of the inclusive government were such that it was almost impossible for the majority of Zimbabweans to work together on anything without some counter-productive political under-current at play. Because of this polarisation there was a lot of mistrust and complete lack of confidence in Zimbabweans by other Zimbabweans, both at personal and government level. This was evidenced by what some of the participants said during our activities, e.g. in one of the FGMs, one middle-aged man asked whether the Radio Dialogue team was not going to be arrested by police together with participants.

Again, we had a lot of people who now think that, because there are certain powers which were abused, then the solution should be to have a President and other public officials without power. For example we had some people who thought that the office of the President should not be given any powers. Thus our recent history has influenced the attitudes of the people towards certain government positions, such that some people think that, to avoid abuse of power, then power and authority must not be given to any government officials.

9.4 Recommendations

1. When drafting the new constitution, we urge the Parliamentary Select Committee to seriously consider the issues and concerns raised in this report.
2. We urge the Constitution Making Management Committee, Steering Committee and Outreach Teams to ensure that the voices of women and disadvantaged members of the community are heard.
3. There should be as many consultative meetings as possible so that even members of the community with special needs can participate and take part.
4. If possible, the consultative meetings should be specific to the different marginalised groups of society. e.g. Women, children, youth, disabled people, people living with HIV/AIDS etc.
5. Create a conducive environment. Assure citizens of the freedom to participate, so that they can contribute effectively to the constitution making process without fear of retribution.
6. People are frustrated because of historical developments which saw the deficiency of democratic practice reaching alarming levels in the recent past. More often than not, some issues will be articulated as complaints. The thematic committees will have to analyse these complaints, and translate them into constitutional safeguards that can prevent such abuses in the future.
7. Lastly, the media remains a very critical tool for the promotion of political participation and development. We recommend the committee to utilise the media both mainstream and alternative media to enable communities to access critical information about local and national development initiatives. The media can be utilised in terms of both information dissemination and awareness creation, in order to enable citizens to take an active role in the Constitution making process. It is only under the most undemocratic of regimes that the media play a backbench role in projects of national importance such as this.

10. Conclusion

It is hoped that the constitutional reform activities reported here will enhance the participation of the Bulawayo community in the constitution making process. We are confident that these activities brought both awareness and understanding to the community, and that this will lead to a citizenry which is politically aware and critical of national development issues. As Radio Dialogue, it is our conviction that there can never be democracy and development without participation. In the same vein, there is no way we can have a democratic constitution without maximum active participation of our citizens. A symbiotic relationship between the people and their constitution can only be a reality if the constitution is truly theirs; they will protect it and it in turn will protect them.

We value the fact that our communities have been able to partake in this important engagement. We hope that, through these activities, the communities are now ready to meet and engage in a purposeful discussion with the outreach teams and other groups tasked with spearheading the constitution making process. Radio Dialogue endeavours to continue working on activities that enhance citizen participation on topical issues, and hope that efforts to have a liberalised and free media environment shall one day yield positive results for the benefit of all Zimbabweans.

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