“There is a wide variation between literacy rate and constitutional literacy. The so called literate people in general terms are illiterate as far as constitutional knowledge is concerned”, Zembere, 2014.
Overview

This is a cross sectional overview of the relationship between literacy rate in Zimbabwe and constitutional literacy in Mashonaland Central Province. The central argument in this chapter is that although Zimbabwe has the highest literacy rate of 96% in Africa, there is an apparent contradiction between literacy rate in the country and constitutional literacy in Mashonaland Central. This study was conducted using a descriptive survey design. This method was chosen because it allows the use of a representative sample from a population and that it allows the researcher to handle a larger number of respondents within a given period. A survey was conducted on conveniently selected three districts of Muzarabani, Mazowe and Mbire. The population consisted of eight hundred and forty respondents aged between fifteen years and above purposively drawn from the three districts. The age group selected for study has been influenced by the census results of 2012 because that was the same age group where the country’s literacy rate was drawn from. The researcher employed interviews, and documentary analysis to gather data for the research. Overall, this research revealed that the majority of those who voted in the referendum in 2013 did not know the contents of the document they were voting for, and therefore concluded that higher literacy rate does not translate to constitutional literacy. Based on
these findings, it was recommended that constitutional studies be introduced in primary and secondary schools as a subject rather than having selected topics infused in History and Geography.
Introduction
Zimbabwe is a land locked country in southern Africa. It lies on a plateau bordered by two giant rivers, Zambezi to the north and Limpopo to the south. The country has a population of about 13 million people, (Central Statistics Report 2012). Since 1985, the literacy rate in Zimbabwe has been gradually rising due to government policies on education. Reports by UNESCO 2009 have indicated that literacy levels have been recorded from 95% to 98% between 1992 and 2010. The statistics are an indication that there has been an ongoing expansion of education after independence. However, it has to be noted that special emphasis has been given to science and technology arguably for national development at the expense of social sciences and humanities subjects. The primary contribution of this write up is to measure the understanding of the new constitution by the general public in Mashonaland Central. The writer assumes and argues that there is no correlation between high literacy rate in Zimbabwe and constitutional literacy in Mashonaland central.

Research methodology
This study was conducted using a qualitative research design which allowed gathering of data from both primary and secondary sources such as pictures, newspaper reports and pamphlets. The 2012 Census report and the final 2012 constitution draft as presented
by the Parliamentary Constitutional Select committee were used as sources of reference. These sources were aided by internet sources and observation especially in the case of Zimbabwe for triangulation purposes. Since this debate is based on a desk research, views from similar studies have been solicited. Primary documents from United Nations Annual reports and constitutional documents for some countries were studied to check on the writers biases. The writer was able to observe the constitutional making process which was conducted in Zimbabwe from 2009 - 2012 to establish whether people understood the process of constitutionalism. Inference shall be made on the literacy data as it was presented by the Central Statistical office in 2012 census. As stated earlier on the province of focus shall be Mashonaland Central and the main assumption is that the findings of this research in Mash central may be replicated to the other nine provinces that is why national data on literacy rate has been taken as a point of reference.
Table 1: Literacy rate for the population above 15 years by province as presented in the 2012 census report.

<table>
<thead>
<tr>
<th>Province</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulawayo</td>
<td>99</td>
<td>98</td>
<td>98</td>
</tr>
<tr>
<td>Manicaland</td>
<td>97</td>
<td>94</td>
<td>96</td>
</tr>
<tr>
<td>Mashonaland central</td>
<td>96</td>
<td>92</td>
<td>92</td>
</tr>
<tr>
<td>Mashonaland East</td>
<td>97</td>
<td>95</td>
<td>96</td>
</tr>
<tr>
<td>Mashonaland West</td>
<td>97</td>
<td>95</td>
<td>96</td>
</tr>
<tr>
<td>Matabeleland North</td>
<td>95</td>
<td>93</td>
<td>93</td>
</tr>
<tr>
<td>Matebeleland South</td>
<td>96</td>
<td>94</td>
<td>95</td>
</tr>
<tr>
<td>Midlands</td>
<td>96</td>
<td>94</td>
<td>95</td>
</tr>
<tr>
<td>Masvingo</td>
<td>96</td>
<td>93</td>
<td>94</td>
</tr>
<tr>
<td>Harare</td>
<td>99</td>
<td>98</td>
<td>99</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>97</td>
<td>96</td>
<td>96</td>
</tr>
</tbody>
</table>

*Source: Census report 2012*

**Statement of the problem**
Mashonaland central has a total of 9.1% voting
population aggregated against the national voting population. The province has also a comparatively higher literacy rate of 94% as of 2012, (Central Statistical Office 2012). The argument presented here in this chapter is that high literacy rate does not translate to constitutional literacy and also that voting patterns in the province in elections and the 2012 referendum has been greatly influenced by the relationship of the province to the ruling party and not by people’s free will. This explains why many people voted ‘Yes’ in a referendum for a constitution whose contents they were not aware of.

Research questions
The research was guided by the following questions to allow an unbiased measurement of the peoples’ understanding of constitutional issues. The research avoided complicated questions on the constitution of Zimbabwe because it sought to solicit general ideas and understanding of the document from the general public, the ’literate’.

a) How many chapters are in the new Zimbabwe constitution?
b) What rights do people have that are enshrined in the new constitution?
c) Why did you vote for or against this constitution?
d) What other issues would you want included in the constitution?
Constitutionalism in Zimbabwe

The principle of constitutionalism is a theory that helps shape the content of the constitution in order to pursue justice and remove arbitrariness, (Magaisa 2009). It is the belief that the existence of a constitution must control government power so that power is not exercised to the detriment of the society. This means that a constitution should by all means be understood and accepted by the people. This can only be done by involving people in the making of the constitution and there should be continuous consultation of the public until the final adoption so that people who are the makers of the constitution must have a sustainable foundation or understanding of the powers they confer on the government and the rights they want to retain for peace and justice to prevail, (Ncube 2003).

According to Ncube (2003) the constitutional reform process in Zimbabwe has been built upon the inherited Lancaster House Agreement of December 1979. This document was negotiated between the colonial masters and liberation forces at the dawn of independence, since then, Zimbabwe has been in a constitutional crisis. Madhuku (2005) blames the constitutional crisis in Zimbabwe to the circumstances under which the Lancaster House Constitution was conceived. He further argues that the Lancaster constitution was drafted and accepted by a few elite on behalf of the entire population.
of Zimbabwe. In this regard, the document did not derive its legitimacy from the people. A constitution operates with supreme authority which it gets from the people. The document then becomes legitimate and it is that legitimacy that makes the constitution supreme because every individual of the society would have agreed to be under that document and be governed by it. This constitutional legitimacy is what was lacking in the Lancaster document. Magaisa (2009) criticised the Lancaster constitution for failing to realise issues pertaining to land, natural resource ownership, citizenship and the system of government. In terms of legitimacy, the Lancaster House Constitution fell too short of even elementary standards. It was discredited as an imperfect document, a compromise to end the war. The constitution was agreed and signed by warring parties and the people of Zimbabwe did not participate in either its making or its amendments. To make matters even worst, the Lancaster constitution was not accessible to the ordinary Zimbabweans and those who had access to it found its legal jargon incomprehensible. This means that until 2009 when the drafting of the new constitution started, to Zimbabweans a constitution was something which existed in the abstract. This chapter therefore attempts to ascertain whether people in Mashonaland Central understood the process of constitutionalism. For the purpose of this discussion, a constitution shall be referred to as a body of laws which sets out the
framework of government, defines how it ought to operate and makes declarations about the purposes of the society and the rights and duties of citizens,(De Villiers 1984). In short, a constitution is the 'bible' of the nation. From this definition, it is clear that having a constitution is not enough but that the document must be understood by those to be governed by it.

**Review of related literature**
According to UNESCO (2010) report, in a world of 1 billion illiterate people, 98% are in third world countries with China and India accounting for 52% of this number. Research by Hara (2007) has discovered that illiteracy always translates into lack of interest or low participation in constitution related activities by citizens in third world countries specifically in India, Pakistan, Mozambique, Botswana and Malawi. Engelbronner-kolff (1993) diagnosed lack of education among the ordinary citizens in most third world countries to be one militating factor against people’s enjoyment of their rights guaranteed in the constitution specifically in countries like India, China, Malawi, Mauritania, Angola, Mozambique, Zimbabwe and the Democratic Republic of Congo where constitutional illiteracy is comparatively high. As noted by Engebronner-kolff (1993), a large number of the population in third world countries do not speak the language of political discourse. The language employed by politicians in constitutions is invariably not
understood by the general citizenry. In Zimbabwe, illiteracy has been highly eradicated but this paper would argue that constitutional illiteracy is still rampant among the so called literate communities in Zimbabwe. Constitutional literacy is the ability by citizens to define their rights and obligations that are enshrined in a constitution they will have taken part in drafting. (Hara 2007).

Discussion of the findings
Two main organising frameworks were used in order to frame and present findings and discussions. The frameworks were highly influenced by the research questions. Before the discussion of these frameworks, it is ideal to analyse the statistics presented by the Central statistical office and draw from that the population that was eligible to vote as at 2012. According to the country’s constitution, a person is eligible to vote if they are eighteen years of age and hold valid national registration identification. The issue of literacy or lack of it cannot be used to disqualify a person from exercising their constitutional right. Whether people would know what they will be voting for or its implications are other issues, the underlying fact, is all adults are allowed to vote. This maybe one of the many reasons why in previous elections so many people were assisted to vote. Ironically the number of assisted voters was drastically reduced in the 2012 constitutional referendum.
course is not the focus of this chapter but it may mirror
the research problem in question. On one hand, it may be
an indication that people understood the constitutional
contents therefore there was no need for assistance in
voting, while on the other hand people may have been
pretending to be illiterate so that they may be assisted to
vote.

Table 2: Population eligible to vote in mash Central as
at 2012.

<table>
<thead>
<tr>
<th>Age Group</th>
<th>%</th>
<th>Number of eligible voters</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-19</td>
<td>9.5</td>
<td>47 864</td>
</tr>
<tr>
<td>20-24</td>
<td>9.2</td>
<td>87 356</td>
</tr>
<tr>
<td>25-29</td>
<td>9.1</td>
<td>96 032</td>
</tr>
<tr>
<td>30-34</td>
<td>8.8</td>
<td>84 672</td>
</tr>
<tr>
<td>35-39</td>
<td>9.2</td>
<td>66 571</td>
</tr>
<tr>
<td>40-44</td>
<td>8.7</td>
<td>50 966</td>
</tr>
<tr>
<td>45-49</td>
<td>8.3</td>
<td>34 628</td>
</tr>
<tr>
<td>50-54</td>
<td>8.8</td>
<td>32 983</td>
</tr>
<tr>
<td>54-59</td>
<td>8.7</td>
<td>24 768</td>
</tr>
</tbody>
</table>
It should be stated that although the stipulated age for voting is 18 years, there were incidences when people below that age were allowed to vote as long as they had national registration certificates and were registered voters. Many school children acquired the national identity cards before the 2008 elections when the documents were issued in schools. The research therefore assumes that all those who were recorded as eligible to vote in 2012 census report are more or less the same people who voted in the referendum in 2013.

The first framework explored the questions to do with an:

i) **Understanding of the contents of the new constitution.**

Variations existed between male and female respondents. 67% of female respondents in the sample indicated that they did not understand the contents of the constitution because they never attended the meetings held by the Constitutional Select Committee due to their busy schedules at home. From the same
sample, 13% stated that their spouses attended therefore they voted for the document because they were told to vote yes by those who attended the meetings. Another 10% had a rough idea of what the document contained especially issues to do with citizenship, and equal opportunities. This may be due to the fact that “Equality of Opportunities” is a basic feature in the constitution and has been repeated again and again in the document starting from the preamble. Therefore issues to do with equality of opportunities between men and women dominated the response from those who had an idea of the constitutional contents. Male respondents (53%) above 35 years had articulated well the Bill of rights as outlined in the constitution. Prominent in the answers were citizenship rights to those born in Zimbabwe to parents from neighbouring SADC countries. This research noted that people only knew the pockets of sections of the constitution which affect them. The study also discovered some disheartening findings. 44% of high school teachers and tertiary students could not name who the chief justice is. The disheartening fact is that the 44% is not only of people holding teaching certificates but some sort of graduate level
Participation in Constitution making Process:

ii) The second framework probed people on their contribution in the drafting of the new constitution, how they participated, attending the COPAC meetings, reading the drafts before final referendum and finally voting. Let us have a brief rundown of how the outreach programmes were conducted before presentation of the findings on this framework.

The process of gathering the views of the people marked the beginning of enjoining the people of Zimbabwe to participate in the constitution making process. Meeting points were identified by COPAC with the help of District Administrators the Zimbabwe Electoral Commission. Seventy teams were dispatched to different provinces of the country. The teams were to solicit people’s views on what to put in the new constitution.

Data were gathered first from the reports of the provincial teams, and it is in the interest of this research to point out some pertinent issues which indicate that most people were unaware of the constitutional issues with the effect that some of the issues raised were really irrelevant and wayward. Wayward contributions included:
“Small houses, discreet marriages must be banned and people who continue to have them after this meeting should be killed because my family has been affected by a small house who squandered all our money from the tobacco production.”

“Public drinking should be allowed because it is not everyone who has a refrigerator”

“...endai munoudza VaMugabe kuti masimba emadzimai awandisa havachatiteereri mudzimba umu”’ translated to say “...go and tell the president to reduce women’s’ rights because women are no longer submissive to their husbands.”

One crucial point underlines these bizarre contributions, that is, a demonstration that people lacked the necessary civic education. Some people thought that the constitution was the President’s document therefore he had the power to redeem their predicaments at home. National Constitutional Assembly represented by Madhuku campaigned for a “no” vote in the referendum citing irregularities in the conduct of the new constitution. The NCA indicated that the period between the presentation of the draft constitution to parliament and the referendum was too short. People did not have enough time to familiarise themselves with the draft.
This research however concluded that the majority of those who voted ‘yes’ did not vote for the constitution but for the views of their political leaders who encouraged them to vote. It is the establishment of this research that even after the adoption of the new constitution, 60% of those who voted are unaware of what they voted for. The majority of these are in the age range of 15-34. A significant variation was observed in the 40-55 years category. These people displayed some awareness of the constitution maybe because this group is economically active and may have followed religiously the constitutional debates. Constitutional illiteracy levels were higher in women 57% and the youths.

Considering the fact that the majority of the Zimbabwean population both rural and urban did not know the contents of the Lancaster constitution and its amendments, there was need to conduct a thorough civic education before rushing into the drafting of a new constitution. This may help to substantiate Colliers’ (2009) argument that African governments manipulate people’s constitutional ignorance by imposing the constitutions to them. Collier cited examples of Mauritania, Zambia and Zimbabwe as countries with constitutions that are not people driven. On the same note, this research discovered that although the majority of Zimbabwe is literate in relation to the instrument used by the UNDP, not much has been done to liberate them
Redefining literacy

Literacy has been defined as the ability to read and write with understanding in any language. The Zimbabwe 2012 census definition for literacy is anyone who has completed a grade three and is 15 years and above, displays ability to read and write. Anyone who can only read but cannot write is considered illiterate. The above definition falls short in that a person needs no formal or elementary educational standard to be considered literate. Due to this weakness, this research charges that the definition is too limited and that it has been adopted for enumeration purposes therefore it has to be reviewed.

The research proposes that the definition of literacy go beyond rudimentary literacy to include addition, subtraction, multiplication and division in maths as well as higher order thinking like conceptualizing, inferring, inventing and critical thinking. This is the kind of literacy that would promote independent thinking and proper active and democratic citizenship.

Conclusion and recommendations

The research concludes that there is a wide variation between literacy rate and constitutional literacy. The so called literate people in general terms are illiterate as far as constitutional knowledge is concerned. Despite a resounding “yes” vote at the referendum, the majority of
the people did not know what they were voting for. This is why this research advocates for a more robust definition of literacy that goes beyond rudimentary knowledge.

For a constitution to be understood by people there must be civic education first before drafting and referendum. This research gathered that there was no such kind of education prior to constitutional referenda. Even in the 2000 referendum people simply voted without the appreciation of what they were voting for. Others thought by voting ‘No’ they were actually voting Mugabe out of office because ZANU PF was campaigning for a ‘Yes’ vote. In this regard, the research again recommends a wider consultation of the public which is not hurried by any other agenda so that the declaration in the preamble that “We the people of Zimbabwe....do hereby adopt, enact and give to ourselves this constitution” is sincere and meaningful.

Another observation from the research is that Mashonaland Central is a strong hold of the ruling party and whatever the party says yes to will be affirmed by people without questioning or reasoning. Any form of questioning may be construed negatively to the detriment of the one who questions. This is as far as illiterate people can be taken advantage of. They don’t question or challenge the status quo. In this light, the research
Monica Zembere

recommends civic education in schools from Primary up to Secondary through to tertiary education because some people who vote in Zimbabwe will still be at primary level.

From the constitutional process that took place in Zimbabwe, one would commend the government in that efforts were made to promote informed participation by people and it was ideal for people to understand the process and not to mix it with party politics. At least people learnt that a constitution is not affiliated to a political party but is a mirror image of the state reflecting the national soul, (De Villiers 1984).