



## *Understanding the law for social change: a course for activists*

### **About:**

This is a three-day residential course focusing on activism and its relation to the law, for activists located in movements and social justice formations. This offering is structured to assist participants understand the basics of using the law in campaigning and mobilization. It is an outcome of debates amongst activists, dating back to gatherings during the covid lockdown, on organizing and pushing back while under restrictive conditions. The course will be delivered in partnership with Black Sash, an organisation with a long track record of providing not only human rights education but campaigning against injustice. Several social justice and legal activist organizations will be invited to contribute to content of the course through knowledge-sharing on using the law in their campaigning.

## Context

As South Africa is approaching its 30-year milestone as a democratic country, ushered in with such promise and global applause, it is entangled in a deep crisis of terrifying proportions. Movements and their communities continue to campaign for basic rights guaranteed by the constitution. The community of Xolobeni has for over a decade been resisting mining exploration on their ancestral land, paying a heavy price for their principled stand. Macua is organizing communities in mining towns who are sinking deeper in poverty while the land they lived on for generations provides massive profits for mining companies. Abahlali baseMjondolo faced a series of assassination of their leaders as they campaign for housing, land and dignity.

In campaigning for change, activist organizations have used the law, not only to challenge government and private sector entities in court but also to educate and equip their members to resist injustice. Public law institutions like SERI, Lawyers for Human Rights, EE Law Centre, Ndifuna Ukwazi and others have dedicated their resources in assisting communities to defend their rights and push back against injustice. They have recorded some significant court victories against both government and the private sector. The Amadiba communities fought successfully to have their right to say no to mining affirmed by the courts. Reclaim the City also used the courts to stop the sale of the Tafelberg site and compelled the government to commit to social housing. Equally, government has used the courts to challenge judgements that favored the poor, the recent court outcome regarding removal of the homeless from streets of Cape Town CBD is one case in point.

Working with movements and communities in action in Cape Town and beyond, Tshisimani was made aware of the growing need for basic legal education among activists. Occupiers of vacant land and unused

buildings sharply articulated the need to equip their members with knowledge of basic of the law as they face threats of evictions by municipalities. Community activists confront the growing levels of gender-based violence and difficulties of navigating the legal system to seek redress. This course, therefore, provides a platform for such education to take place.

## **Aims of the Course**

The curriculum developed is intended to:

1. Assist activists achieve a basic understanding of the nexus between social justice and the law.
2. Enhance the existing paralegal interventions initiated by activists in their daily mobilization and campaigning.
3. Locate an understanding of the law at the centre of movement-building and the fight for change.
4. Inspire legal self-reliance so as not to become overly dependent on activist lawyers, who are already spread thin.

## **Who is the course for?**

The training will be targeted at the following:

- Members of movements/ activist formations who are engaged in sustained campaigning.
- Activists involved in struggles for housing, land, social security, and gender equality.
- Activists located in and around Cape Town metro and the peri-urban/rural towns in the Western Cape.
- Youth, women, urban, rural activists
- Activists living with disability or working for rights of people living with disability.

## **Course Description**

The course is structured to focus on the constitution and its relation to activism, to provoke discussions on whether the constitution is a tool for activism or does it represent something else. Laws regulating evictions, social security, gender-based violence will be covered extensively. The course will also look at the cases where activist organizations have used the law to successfully enforce the upholding of rights of the vulnerable. Additionally, the course will provide practical guidance on drafting of useful documents like affidavits or making a PAIA application etc. In essence it will cover the content of the law and the campaigns where activists use the law.

## **Partners**

We have partnered with Black Sash to realise this course but will draw from several organisations in light of their wealth of experience and expertise in the areas they work.

## **Language**

The course will be conducted mainly in English, but participants are encouraged to express themselves in the language of their preference. Language support services will be provided in the form of translations to ease communication and enhance participation.

## **Venue and dates**

The course will take place at Froggy Pond Resort in Simonstown. Participants will be required to arrive by lunchtime on 23 March and depart at lunchtime on Sunday 26 of March.