



RETHINKING DEMOCRACY

“2024 IS OUR 1994”?

Programme Manual
Module Two 2024

Johannesburg, South Africa November
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About the course: Rethinking Democracy

South Africa has the highest inequality in the world. Despite nearly three decades of democratic rule, landlessness, exploitation, poverty, racism, violence, corruption and a collapse of basic services have a stark presence in everyday life. Today there is a shared sentiment that although 1994 did bring about some significant changes, the society we live in is a far cry from one that different generations of activists dreamed of and fought to establish.

There is growing dissatisfaction with and distrust in politics as a tool for change, with politics increasingly associated with the 'big men', patronage, self-enrichment, and upward social mobility for the few. Different explanations are offered for why these realities persist. Different responses or 'ways out' are also presented. #RethinkingDemocracy is a course about South Africa today – why it is the way it is, why these matters and crucially, what we can do to overturn this dismal situation.

Designed specifically for community-based paralegals and fieldworkers who provide a range of services to the communities they serve – including information access, support with gender based violence cases and matters, assistance with evictions, labour, consumer and social security matters as well as different kinds of dispute resolution – this course will locate the historical roots of the day-to-day issues that advice offices contend with and contextualise them within broader contestations, resistance and imaginations about democracy.

Woven through the course are these questions:

1. What do the realities that community-based paralegals deal with on an ongoing basis reveal about the texture of South Africa's democracy?
2. How can we explain the persistent and growing inequalities and injustices that dominate South Africa today, nearly 30 years into democratic rule?
3. What are some of the big struggles waged in South Africa today? What do they teach us about democracy, resistance and imagination?

4. What does a democracy for the many, not a few, look like? What can we learn – from the past and today – about attempts to craft expansive and radical notions of democracy?

Participants in the course will consider these questions, locate them historically and look at their theoretical underpinnings.

Module two

3 – 8 November 2024

Rethinking Democracy Module 2

Many South Africans have lost faith in the current state of democracy. This module will explore where we find ourselves now, in understanding a range of responses to the current crisis: for example, a turn to populist ‘big man’ politics and a creeping authoritarianism (a belief that ‘kind dictator’ is better than what we have now); a consolidation of community based responses that range from mob justice when law and order fails, to progressive grass roots organising towards self-reliance; and most importantly, a recognition that a democracy can only function when ordinary people stand up. What can we learn from our current context that reveals that when democracy fails, it is people on the ground that hold the government to account to make democracy function? What does this mean for paralegal practice?

In understanding the current crisis of democracy, the module will explore the following:

- How can advice offices & paralegals be part of social change within their communities?
- What does the work/role of an activist paralegal look like?

By the end of the module participants will:

- Analyse the current moment and identify progressive responses that can shape alternatives;
- Identify models of organising and politics that paralegals can use towards change;
- Look at experiments of democracy that try to address some of the issues we encountered in Module 1
- Locate the role of their practice in unfolding struggles to change the nature of South African society today.

Day One

Monday 4 November

Reconnecting and Reflecting

About this day

This is our first day together again after Module 1 in May. This is a day of reflection: reflecting on how we create a healthy teaching and learning space; reflecting on our work as paralegals over the last 5 months; reflecting on the social and political context of our cities, provinces and country over the last 5 months - and using this to create a broad picture of the political context we find ourselves in and what this means for democracy, and different responses to this political moment. We will delve into diverse stories of how communities, movements, and organizations have responded to injustice or built alternatives that promote self-reliance, to think about routes towards change and what the implications might be for paralegal work and activism.

Objectives for this day

By the end of the day, participants should have:

- Reconnected with our work, and the social justice context that impacts our work.
- Analyse the socio-political context we are in;
- Explored different ways people have created change and what the opportunities and challenges are to these approaches.

Day activity sessions

This day comprises the following activities:

Time	Activity
09:00 11:30	Reconnecting & Reflecting on Module 1
11:30 11:15	Tea
11:15 13:00	Mapping our political contexts
13:00 14:00	Lunch
14:00 16:15	Stories of Change

Activity One: Reconnecting & Reflecting on Module 1

2 hours 30 minutes

Task 1: Developing communal charter

Participants will be given post it note stickers, They will be given 15 minutes individually to write up 10 guiding principles that they think should form part of the communal charter. We will then have time to feedback on what people have written and if someone else has something similar to what others wrote, they can stick their post it notes next to each other, we will formulate their suggestions into 1 sentence and it will be added into the charter.

This task will take 1 hour

Task 2 : Warm up

Participants will be given a welcome message. Every participant will read one line from the message. We will then reflect on what this message means by a brief discussion (5mins)

A chart will stand on opposite sides of the room. One represents HIGH expectations and the other LOW expectations for Module 2.

Participants will be given post it notes and given 10 minutes to write their high expectation of what they want from Module 2 and then a low expectation from Module 2

The Facilitator will then consolidate the notes and discuss main themes. The expectations charts will stay in the room for the duration of the week as a reminder if expectations are being met.

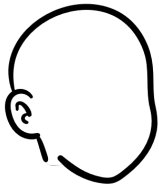
This task will take 30 minutes

Task 3: Group reflection

In groups of five, comprising of participants from different provinces, will reflect on Module 1 using the following as a Guide:

Head – What do you remember from Module 1 and still think about?
Heart – How did what we experienced/learnt in module 1 make you feel?
Feet – What actions have you taken since then or would like to take?

There will be signs of the different body parts for the feedback session where participants will go around the room giving feedback of what they remember, feel and acted on.



This task will take 30 minutes

Activity 2: Mapping our political context (GNU)

2 hours

Aims: To help identify key political moments in our work as community paralegals and in South Africa, exploring how these influence both our communities and the nation.

About: This will be an interactive group activity that involves creating a collage illustrating significant developments from June until the present. Participants will collaborate in mapping out key events, trends, and or policies that define our political context.

Task 1: Our journey from June to November (30 minutes)

We will work in groups from different provinces to create a collage of the key developments over the past five months.

1. Designing our collage in groups:
 - On a large sheet of paper, create a collage that highlights 3 key developments from the end of Module 1 to the present day. The developments should be framed or highlighted as follows:
 - Government; what has happened politically? What are the political shifts or government makeup or notable policies?
 - Legal system; as paralegals, what are the developments in the legal sphere, what are prominent cases or laws that mark significant changes or make headlines?

- At community level or society in general; what key events, trends or changes impacting the community?
- How the 3 developments above impacted your work?
- Resource materials will be provided to assist with the collage exercise and as a prompt reminder of significant developments that may assist in contextualising our political landscape.

Group presentation: The first group will present their collage on a large sheet of paper, mapping the key developments as stated above. The next group to present will build up on the themes from the previous group.

This task will take 30 Minutes

Task 2: Evaluating reading and presentation (90 minutes)

1. We are going to divide into two groups to read one of two provided articles and together discuss:
 - What the author identify as the root of the problems in South Africa today?
 - What does the author suggest are some of the regressive responses?
 - What does the author argue is the solution?
 - Do you agree with what this author argues? Why or why not?

Please see the following links for the articles:

- <https://www.dailymaverick.co.za/article/2024-09-03-evaluating-what-is-new-positive-and-negative-about-the-government-of-national-unity-part-one/>
- <https://www.dw.com/en/south-africas-national-unity-government-pros-and-cons-explored/a-69334735>
- There will be a brief provocative political overview presentation of the Government of National Unity, and a plenary discussion will follow.

Activity 3: Stories of Change

2 hours 15 minutes

Aims: To introduce diverse ways that ordinary people resist and find routes to change.

About: There are many examples of small and large victories – where ordinary people have found means to build alternatives and challenge power to find justice and dignity. In this activity we will encounter a range of stories: some that use the power of the courts, some that self organise outside of the system, some that find change through individual acts. The range of ways that people have found change is both hopeful and inspiring – but also presents questions as to the strengths and weaknesses of these alternatives.

Task 1: Group Reading

Participants will be divided into 3 groups to read through the stories that reflect examples of change such as:

- Victories through the courts

<https://www.citizen.co.za/news/south-africa/courts/rape-survivor-court-sections-sexual-offences-act-unconstitutional/>

- Building self-reliance outside of the state

<https://www.dailymaverick.co.za/article/2024-04-18-how-community-gardens-are-reducing-foodstuff-waste-and-increasing-food-security-in-sa/>

- Individuals making community-based change (individual to collective change)

<https://www.sapeople.com/fab-south-african-stuff/harrismiths-water-heroes-fixing-the-town-one-selfless-act-at-a-time/>

Participants will think about the story and how it inspires or resonates with their work or how it can or cannot be applied to your work

This task will take 1 hour

Task 2: SWAT Analysis

Do a Strength, Weakness, Opportunity and Threats (SWAT) Analysis of the story.

From the story read, participants will be provided a sheet of paper to complete a SWAT analysis of the story. To be included is lessons learned from the story.

The SWAT analysis will then be presented by members of the group to plenary.

A plenary discussion will follow after all the group presentations.

This task will take 1 hour 15 minutes

Day Two

Tuesday 5 November

Island-hopping for alternatives

About this day

This day will focus on exploring various routes activists, movements, individuals and organisations have sought to pursue social change. Using theory and real-world case studies, we will go on a journey exploring how social change can be pursued. These routes have been categorised according to whether they seek social through: the Markets; the State; Prefigurative politics; or forcefully seizing power. Holding this day will be the following questions:

- What are some of the different ways groups have been experimenting with alternative ways of doing?
- What can we learn from these experiments?
- What path to power did each follow?
- What was the context they made decisions in?
- What is their vision?

Objectives for this day:

- To understand various routes to freedom
- To develop theory to assist us in speaking about and analysing routes that bodies have chosen

Day activity sessions:

This day comprises the following activities:

Time	Activity
09:00 09:45	Warming up to social change
09:45 11:15	State Island
11:15 11:30	Tea
11:30 12:15	Market Island
13:00 14:00	Lunch
14:00 15:30	Prefigurative Island
15:30 16:30	Coup Island

Activity 1: Warming up to social change

45 minutes

Aims: **To help us to:**

- Get energised and start thinking about how different destinations may have different ways to reach them.
- To start thinking around some of the theory around how social change happens by looking at different models.
- To enable our thinking in the week by introducing some words, labels and terminology around social change.
- To introduce the framing of the activities that will take up most of the day.

About: To begin the day, we will have a warm-up exercise themed around ways of getting to places, followed by an input by the facilitator which will cover some theory and terminology that we'll be exploring over the course of the day. The activity will conclude by introducing the simulation activity that will take up most of the day.

Task 1: We will all stand spread out as a group. The facilitator will then call out a "place" (for e.g., Japan, Cape Town, your room in the lodgings, the mall down the road, the Moon, freedom); we then must act out how we would get there e.g., a means of transport or what we would do to get there. In deciding on what we would use to get there we should consider some of the benefits and downsides of our choices:

- How long would it take?
- What would be the impact on the environment?
- How scenic would the journey be?
- How expensive would the journey be?
- How dangerous would it be?

This task will take 15 minutes

Task 2: Returning to our seats, the facilitator will present an interactive input covering some of the terminology and theory surrounding different 'paths to power' and how different people have imagined alternative ways for society to operate from. We will all listen and take notes, focusing on the models presented: State, Market, Prefigurative and Coups.

This task will take 20 minutes

Task 3: The final part of this activity will introduce the simulation activities that will frame the majority of the day. The facilitator will describe how the simulation will work and what to expect from it. This will conclude by the video message introducing the simulation from which point we are all to remain in character.

This task will take 10 minutes

Activity 2: State Island

1 hour 30 minutes

Aims: To help us to:

- Understand paths to power that see change happening through the State
- To see how State power can be influenced through electoral routes, pressure from below through social movements and through policy choices by elected governments themselves.
- To grasp the Welfare State and how it functions

About: On the first island we will see how two different groups have pursued social change through the State. We will meet a government official who will give an academic explanation of the Welfare State and Nordic models. This will be followed by a community-led discussion of bottom-up mobilization to contest power. Grassroot community organizations across State Island continue to build independent community organizations that challenge for power in local government. With this group we will travel to 4 neighbourhoods to visit organizations that have taken this route to change.

Task 1: The Welfare State

We will gather to receive a 2 formal presentation from a government official from State Island; one from Norway and the other a short South African bulletin. We will then have a short discussion in plenary.

While watching the presentation we will need to note:

- What is a Welfare State?
- Is South Africa a welfare state?
- What are the key characteristics of this model?
- What are the benefits and shortfalls of this model?
- Can South Africa afford to be a welfare state given the dependency of social grants?

The presentation will include a short video about a welfare state:
<https://www.youtube.com/watch?v=0tBtXU1EKdY> // Are social grants the answer to South Africa's inequality? - YouTube

This task will take 30min

Task 2: State power from below

Participants will be split into 4 groups to visit different neighborhoods on the Island. Each neighborhood will have a case study of a community-based organization that has taken the electoral route to fight for change. Each corner will have a station that displays the profile of the community organization. This will be done using pictures, slogans, regalia of the community organization...etc

Participants will visit the neighbourhoods then later on share with each other the experiences that the different community organizations have experienced by using a specific electoral route.

Neighbourhoods:

Soweto – Soweto Electricity Crisis Committee

Makhanda – Makana Citizens Front

Radical Municipalism in Barcelona

In a plenary discussion we will discuss the following about these neighborhoods'

1. Where did you visit?
2. What are the main benefits and challenges of those neighborhoods?
3. What do the people of the neighborhoods propose as a solution to their challenges?
4. Do you think that what the members of the neighbourhoods propose as the solution is the best way to resolve their challenges?
5. Would you recommend or use the strategy of that neighbourhood to resolve all or some of the challenges in your own community?

Plenary Discussion: Participants will have 15 minutes to provide a postcard note answering the questions based on the neighborhood they visited.

We would have explored State Island in two parts: Welfare State and the different neighbourhoods. In groups of 4, buzz for 15 minutes on the what you have read and seen. A report back and group discussion will be held from the groups on which State Island they gravitate towards and would select.

This task will take 1 hour

Activity 3: Market Island

45 minutes

Aims: **To help us to:**

- Understand paths to power that see change happening through the Markets
- To work through different case studies that explore markets from capitalist perspectives, co-ops and corporate social responsibility.

Task 1: **Free-markets, big business and ambitious individuals**

We will be met by Gloria Serobe of Wiphold, who many consider to be the leader of the Island, who will give us a Ted-talk style discussion about how she made her millions and uses it to develop the island. She will also give us readings to understand how commerce and philanthropy can assist the poor.

This task will take 30min

Activity 4: Prefigurative Island

1 hour 30 minutes

Aims: **To help us to:**

Understand paths to power that see change happening through prefigurative politics

About: This activity will take place on Prefigurative Island, a land that is starkly split into two by a large wall. One side an ethnonationalist, self-sustaining nation, Orania, that looks after its own while attempting to keep its history and culture preserved. On the other side of the island is the region called the Commune. The Commune is a collective of communities who take inspiration from communes – _intentional communities – _and the land occupations in South Africa such as Cissue Gool House.

Task 1: We will be guided through a walking tour exploring the history and legacy of Orania. How it started, how it developed, how the town operates and the principles and values it holds.

Task 2: The collective of communes will take us through a popular education workshop exploring the legacy of Cissie Gool House, an example of an occupation movements.

Intro to Cissie Gool House

<https://www.youtube.com/watch?v=Y4iG4wYQeu0>

Co-Design Process

<https://www.youtube.com/watch?v=tsxhaM54dPM>

Activity 5: **Coup Island**

45 minutes

Aims: **To help us to:**

- Understand path to power through Coup d'état.
- Understand the concept of a coup and its historical significance.
- Analyse the motivations and consequences of coups on societies.
- Apply critical thinking to assess the ethical and moral implications of pursuing power through a coup.
- Engage in constructive dialogue and reflection on issues of power, social justice, and activism, and impact of coups on justice and rule of law.

About: We will engage in a reading, group discussion, presentation/ video/exhibition that explores case studies of military coups in the African continent.

Task 1: Introduction

A brief introduction of the activity by the facilitator

Task 2: Opening Activity (5 minutes):

Answer the questions: If your national was ruled by a ruthless dictator – one who oppressed the people, was corrupt to the core, engaged in assassination of opponents and clamped down on free speech by imprisoning and torturing civilians – would it matter HOW you removed them from power?

If YES (it does matter how you get them out of power) go to one side of the room.

If NO (it does not matter so long as they are removed from power) go to the other side of the room

Task 3: Conceptualising a Coup (10 minutes)

- Define the term “coup d’etat” and its historical context.
- Present examples of well-known coups and their outcomes, highlighting different motivations behind them.

Task 4: Group work/discussion (15 minutes)

- Divide participants into 3 groups.
- Provide each group with a case study article of specific historical/recent coup to read and discuss e.g Zimbabwe coup or Gabon coup etc.
- Encourage participants to analyse motivations, impact, ethical, and legal considerations involved.

Task 5: Group Sharing (15 minutes)

- Each group shares its findings from their case study and discussion.
- Facilitate a brief discussion on the common themes and differences on the case studies.

Day Three

Wednesday 6 November

Activity 1: Site Visits

Aims: To help us to:

- To introduce paralegals to the attempts towards change within activist organizations and movements in South Africa.
- To make connections between paralegals and movements in Johannesburg inner-city with national reach.
- To interrogate the role of paralegals of movements towards change.

Itinerary

Time	Activities
09:00 11:30	Session with Tessa Dooms of Rivonia Circle on 100+ Days of GNU and prospects for the future
11:30	Departure for lunch
12:00 13:00	Lunch at Kwa Mai Mai
13:30 16:30	Visits to Riverlea Mining Forum

Day Four

Thursday 7 November

About: This day builds on the site visits participants undertook the previous day, where they engaged with various activist formations, explored the conditions they aim to transform, and examined their organizing strategies. The focus of the day shifts towards building alternatives and highlighting transformative breakthroughs, no matter how modest, that have been achieved by these formations. Given the new coalition government, participants will also reflect on the changing political landscape and its implications for activism and paralegal work.

By the end of the day, participants should:

- Have a better understanding of emerging alternative models of community mobilisation and how these models challenge the status quo, which paralegals can relate to in the context of the new government.
- Achieve better clarity on the role of advice offices and paralegals in cultivating alternative methods of organizing and mobilization to build democracy from below, especially under a coalition-led government.
- Gain enhanced insight into the activist/political nature of paralegal work, particularly in relation to the new coalition governance structure and shifts in power dynamics.
- Draw connections between case studies presented and routes to social change in this new political context.

Time	Activity
09:00 10:30	Building the model we want
10:30 10:45	Democracy and Coalition Governance - Introduction and video
10:45 11:00	Tea
11:00 12:00	Democracy and Coalition Governance
13:00 14:00	Understanding the impact of Coalition Governance
13:00 14:00	Lunch
14:00 17:00	Contemporary Challenges to Democracy and Electoral Reform

17:00 17:45	"Building the Future of Paralegal Practice"
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Activity 1: Building the Model We Want

90 minutes

About: This session provides participants with the opportunity to build on the lessons from the past three days by incorporating those ideas for an ideal paralegal practice or advice office within the context of the challenges and opportunities posed by South Africa's new coalition government.

Task 1: Recapping Engagement with Activist Formations & Case Studies

Watch a video:

<https://vimeo.com/984802611/310e1eb812?share=copy>

Participants will work in groups to consolidate lessons from the previous day's activities. Each group will consider:

- Which elements of traditional paralegal practice remain relevant to current mobilization and movement-building efforts.
- Which elements may be outdated, particularly in the context of the newly formed coalition government.
- New or innovative approaches in paralegal work that are gaining traction.
- Gaps in current paralegal/advice office work that the case studies suggest should be addressed, given the new political dynamics.

Using this analysis, each group will design a model for paralegal practice and advice office that reflects this political moment. The groups will prepare a puzzle on the ideal model.

This task will take 45 minutes

Task 2: Building a Model Paralegal Practice

Each group will build the practise using blocks of cardboard and then present to plenary, addressing the following questions:

- Why is your model important in the context of a coalition government?
- How does it differ from before the coalition government?
- What are the mitigating factors of this model?
- What challenges might arise from this model, and how would you address them?
- What are the intersectionalities between lessons learned, the current political dispensation and what the ideal model looks like?
- What would be the outcomes (victories and successes) of implementing this model?
- Why is your model the best approach for future advice offices under this new political landscape?

This task will take 45 minutes

Activity 2: Democracy and Coalition Governance

1hr 15 min

About: This session explores the implications of South Africa's recent elections, which resulted in a coalition government of national unity. With opposition parties now playing a significant role in governance, participants will discuss how this new political arrangement affects paralegal practice, community mobilization, and the cultivation of democracy from below.

Watch a video: What are Coalitions? (youtube.com)

Task 1 "Coalition Chronicles: Paralegals in Action" (board game)

Objective: Participants explore the role of paralegals in South Africa's coalition government, focusing on power dynamics, community mobilization, and democratic practices, and using collaborative problem-solving skills to organise around particular struggles to create gains for their communities.

Setup:

- Players: Teams of 3-4 participants.

- Materials: Flashcards, markers, a large board ("Coalition Map"), tokens (one per team), dice, a "Scenario Deck," and one "Power Card" per team

How to Play:

1. **Game Start:**
 - Teams start at "Community Mobilisation HQ" on the Coalition Map, representing different community districts (e.g., Housing, Water).
 - Each team rolls the dice to move through the map, encountering districts with either collaborative opportunities or challenges.
2. **Scenario Cards (Challenges and Opportunities):**
 - When landing on a district, teams draw a card from the "Scenario Deck," describing a situation (e.g., a council ignoring housing priorities or an opportunity for a water justice campaign).
 - Teams decide on a strategy (e.g., collaborate, resist) and write it on a flashcard.
3. **Power Cards:**
 - Each team can use their "Power Card" twice to boost their influence (e.g., call for extra resources or organise a council meeting).
4. **Buzz Round (Mid-Game):**
 - Teams take a 15-minute break to discuss:
 - The role of paralegals in coalition governance,
 - Adapting to shifting power dynamics,
 - Strategies for working with or resisting local councils.
 - Teams exchange ideas and refine their strategies.
5. **Final Round – Pitching Solutions:**
 - Upon reaching the "Democracy Building Zone," teams present their strategies.
 - Teams answer how their approaches evolved, what power dynamics they faced, and how they promoted community-led democracy.
6. **Winning the Game:**
 - Participants vote for the team with the most effective strategies. The winning team is titled "Coalition Chronicles Champions."

Activity 3: Understanding the Impact of a Coalition Government

1 hour

About: This session will examine the impact of South Africa's 2024 elections, focusing on the formation of a coalition government and how it changes the landscape of civic engagement, particularly for paralegals. Participants will also reflect on the role of civic education under this new political order, including voter turnout challenges and trust deficits.

Task 1: What are Coalition Governments?

- a. Watch a video: <https://civicsacademy.co.za/what-are-coalitions/>¹
- b. Participants will be split into 4 groups to explore the theme of 100 Days of GNU.
- c. Readings will be provided to guide the conversation.
- d. Participants will have 20 minutes to read and make a 3 minute video on the below questions.
- e. Videos will be sent to the Facilitator and then watched in plenary.

Format of the video:

Influencer, 1 Participant (Spokesperson) and other participants giving inputs in snippet form..

Influencer - a person with the power to sway or affect people's action or opinions. For the purpose of this exercise. The Influencer will be more of an interviewer, asking another participant a question and then getting input from the rest of the participants.

Group 1 Question:

Explain coalition government and the advantages it bears not only for citizens but for you as a paralegal.

Reading:

<https://www.dailymaverick.co.za/article/2024-02-27-coalition-government-may-yet-prove-to-be-south-africas-road-to-political-salvation/>

¹ [What are Coalitions? – Civics Academy](#)

Group 2 Question:

What are your thoughts on why the community voted for certain parties and why they think the community voted that way.

Reading: https://groundup.org.za/article/eastern-cape-voters-explain-why-they-voted-way-they-did_1811/

Group 3 Question:

Reflect on 100 Days of GNU and what has the impact been on you as a Paralegal and your community.

Reading: <https://www.citizen.co.za/news/south-africa/politics/anc-gnu-100-days-reflection-event/>

Group 4 Question:

Discuss the disadvantages of GNU on the paralegal and the community.

Reading: <https://www.iol.co.za/news/politics/100-days-of-gnu-anc-da-coalition-is-defined-by-lies-and-false-victories-says-the-eff-495aa13b-d9f3-4e0f-b12c-ad355e477043>

This task will take 1 hour

Task 2: Why is the Constitution Important?

As a paralegal, the phrase “It's against the Constitution” is used frequently if not daily, no matter the case of the person that comes to see you.

1. But what does this mean?
2. How is “it against the Constitution” quantified?
3. What do you do, now that you have established that it is against the Constitution?
4. How to use the Bill of Rights in everyday practise

Parliament passed the Constitution in 1996. The Constitution contains the most important rules of our political system. It protects the rights of the people inside the country, and it explains their obligations. It defines the institutions of South Africa, what their powers are, and how they may use their powers.²

The South African Constitution is widely regarded as one of the most progressive and transformative constitutions in the world. It places a clear emphasis on human rights.

² [Microsoft Word - 4Why the Constitution is so important.doc](#)

However, it must be noted that the South African Constitution is a living document that adapts as the country changes and develops, it is fluid. It provides the legal foundation for the existence of the republic, sets out the rights and duties of its citizens, and defines the structure of the government.

The Facilitator will present on the following statements and how to use it in everyday work as a paralegal:

1. The Constitution is the supreme law South Africa is a constitutional democracy.
2. The values of the Constitution.
3. The Bill of Rights Chapter 2 of the Constitution
4. The separation of powers

This task will take 30 minutes

Activity 4: Contemporary Challenges to Democracy and Electoral Reform

3 hours

Task 1: Constitutional Court of Democracy

About: This session will take the form of a “Constitutional Court of Democracy” where participants discuss how democracy and the role of paralegals will evolve under the new coalition government. Participants will split into three groups:

1. The Applicants
2. The Respondents
3. The Jury

The main legal question: How will democracy change post-2024 elections, and what role will paralegals continue to play in this evolving landscape?

Participants will debate the following:

- Strategies for building community cohesion with municipalities under coalition governance.

- The need for paralegal skills in daily struggles and how these skills can contribute to grassroots movements in this new political era.
- Examples of how stronger involvement of paralegals in building democracy from below can be achieved under a coalition government.

The Applicants will argue for the critical role of paralegals, while the Respondents will argue against. Judges and jurors will ask questions and provide commentary on the arguments.

This task will take 90min

Task 2: Big Debate

About: In this session we will have a short CONSTITUTIONALISM school of thought (Via TV channel hosted by Kgabo or a welcome to my UTUBE channel- Comrade Kgabo Unpacks) We then dive into the use of constitution to our advantage in the new dispensation

Participants will be split into 3 groups as per three headings above, in these 3 groups each group will delegate $\frac{2}{3}$ speakers to represent while others play a support system and cheer in the background. In our Open statement participants will share personal stories as theory sort, and are allowed to reference this can be from their day to day experiences or walk of life as paralegals.

This task will take 90 minutes

Activity 5: "Building the Future of Paralegal Practice"

45 minutes

Objective: Participants will physically create a model that represents their vision for paralegal practice and advice offices in the current political context. The goal is for each group to collaboratively design their model using tactile elements and to present it as a pitch for potential funding.

Materials Needed:

- Large sheets of paper or cardboard (for the base of the model)
- Colored markers, pens, and pencils
- Index cards or small cutouts (for writing key elements)
- Sticky notes (for additional ideas or points)

- Craft materials (e.g., clay, pipe cleaners, popsicle sticks, small building blocks) to create 3D representations of the elements in the model
- Glue sticks, tape, scissors
- Flip chart or large poster board (for presenting their final model)

Instructions:

1. Divide Participants into Small Groups:

Assign each group the task of building a model that reflects their vision for paralegal practice and advice offices in South Africa's current political context, with the new coalition government in mind.

2. Step 1: Analyze and Recap (10 minutes)

Groups will begin by discussing the following questions, using index cards and sticky notes to write down their responses:

- Which elements of traditional paralegal practice are still effective for community mobilization?
- Which elements have become outdated, especially under the new coalition government?
- What new or innovative approaches are emerging in paralegal work?
- What gaps currently exist, and how should they be addressed?

Tactile element: Groups will write each key point on index cards or sticky notes and place them on the large sheet of paper/cardboard. This will serve as the "foundation" for their model. The cards/sticky notes can be moved around as they refine their ideas.

3. Step 2: Build the Model (15 minutes)

Using the craft materials provided (e.g., clay, blocks, sticks), participants will begin constructing a 3D model of their ideal paralegal practice. Each part of the model should correspond to an element they discussed in the previous step, representing:

- Traditional elements still in use (e.g., small structures or pathways for continuity).
- Outdated practices (e.g., represented by broken or incomplete parts).
- New approaches (e.g., taller, modern structures or innovative shapes).

- Gaps to be filled (e.g., a space or hole in the model where new solutions are needed).

Tactile element: The physical process of building with craft materials will allow participants to visualize and create a tangible representation of the changes they want to see. They can use different textures, colors, and shapes to represent different aspects of their vision.

4. **Step 3: Prepare the Pitch (10 minutes)**

Each group will prepare a brief pitch (about 3 minutes) to explain:

- Why their model is important in the current political climate.
- How their model differs from existing paralegal practices.
- Why their model is the best solution for the future.
- What challenges they foresee and how they would address them.
- The expected outcomes of their model (e.g., stronger community mobilization, better access to justice).

Tactile element: Groups can use sticky notes and index cards to highlight key points in their pitch, adding these to their model to make it visually clear when presenting.

5. **Step 4: Present the Model (10 minutes)**

Each group will present their model to the rest of the participants. As they present, they can point to the different parts of their physical model to explain how each element addresses the challenges and opportunities of paralegal practice in the current moment.

Debrief:

After the presentations, facilitate a group discussion where participants can ask questions and provide feedback on each model. This will allow for further engagement and refinement of ideas.

Day Five

Friday 8 November

Reflection, Evaluation & Continuous Improvement

About this day:

This day will be dealing with reflection and evaluation of Modules one and two and making the necessary connections of our political moment and the self-organising themes dealt with throughout the week.

Objectives for this day:

At the end of this day participants should be able to reflect on and evaluate what they have learned in module two;

- Reflect on and evaluate on what they have learned about different forms of self-organising;
- Reflect on and evaluate the module's content, facilitating styles and modes of delivery; and,
- Reflect on and evaluate gaps, areas for improvement and areas of excellence of the module.

Day activity sessions:

This day comprises the following activities:

Time	Activity
09:30 10:00	Housekeeping and Travel
10:00 10:45	Reflective activity
10:45 11:00	Tea
11:00 12:00	What we do together
13:00 14:00	Lunch

Activity 1: Housekeeping, Travel and Logistics

30 minutes

We will use the session to focus on ensuring that all participants have checked out of their accommodation, have their necessary travel information checked out and confirmed, have had their reimbursements where necessary and have signed all the necessary registers and documentation needed.

Activity 2: Reflective activity

45 minutes

Using the expectations chart from day one, write a reflective letter to present to your office or organisation reflecting on the highs and lows of the module for you. Include the following:

- Key lessons learned from module two
- Areas for improvement
- Highlights of the module
- Highlights of the course generally
- Ways in which the experience may be useful in your work
- Answer whether you would recommend the course to colleagues or other activists

Activity 3: What do we do together

60 minutes

An open session facilitated by alumni of the course, in the absence of Tshisimani staff for participants to organise and co-plan any activities, forums, solidarity initiatives or engagements that may serve them.