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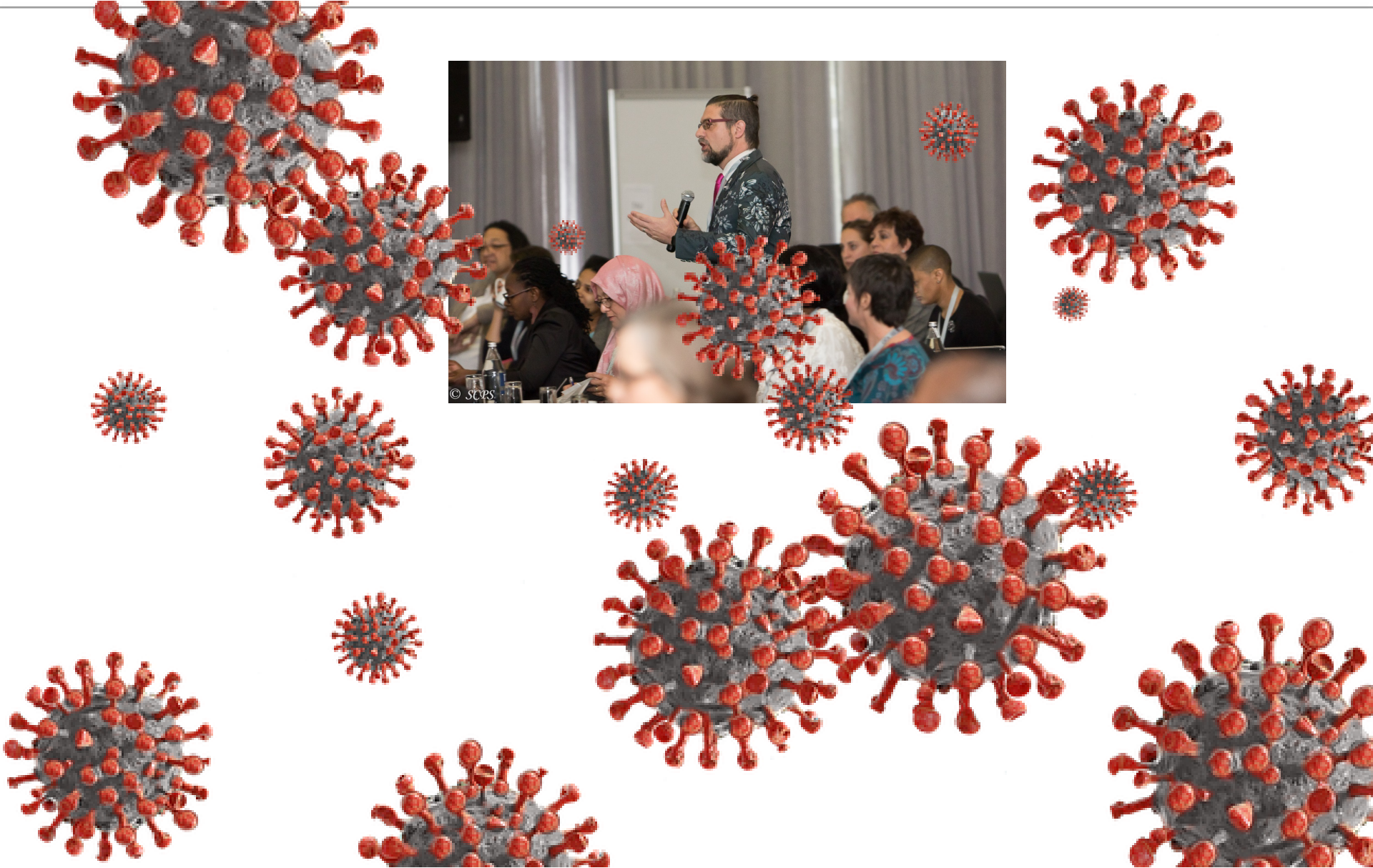
Higher education in community – collaborative higher education, an ethic and pedagogy of care and Ubuntu

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22 September 2020

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Teaching and learning as relational

Co-operative and Collaborative learning

“Collaborative learning provides a social context in which students can experience and practice the kinds of conversation valued by college teachers”

(Bruffee, 1984:642)



Collaborative learning

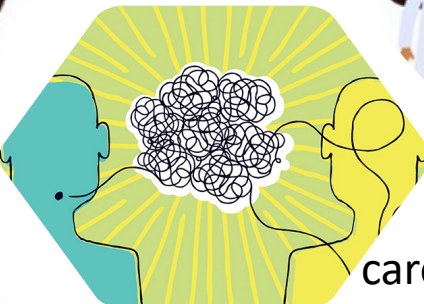



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Constructivist,
interpretivist approach



Ethics of care



‘From the perspective of care ethics, the teacher as carer is interested in the expressed needs of the cared-for, not simply the needs assumed by the school as an institution and the curriculum as a prescribed course of study’.
(Noddings, 2012:722)

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Ubuntu “emphasises the communal nature of society and ‘carries in it the ideas of humaneness, social justice and fairness’ and envelopes ‘the key values of group solidarity, compassion, respect, human dignity, conformity to basic norms and collective unity’.”

Everfresh Market Virginia (Pty) Ltd v Shoprite Checkers (Pty) Ltd 2012 (1) SA 256 (CC)



"The need for **Ubuntu** expresses the ethos of an instinctive capacity for and enjoyment of love towards our fellow men and women; the joy and the fulfilment involved in recognizing their innate humanity; the reciprocity this generates in interaction within the collective community; the richness of the creative emotions which it engenders and the moral energies which it releases both in the givers and the society which they serve and are served by.”

Ubuntu “is of some relevance to the values we need to uphold. It is a culture which places some emphasis on communality and on the interdependence of the members of a community.”

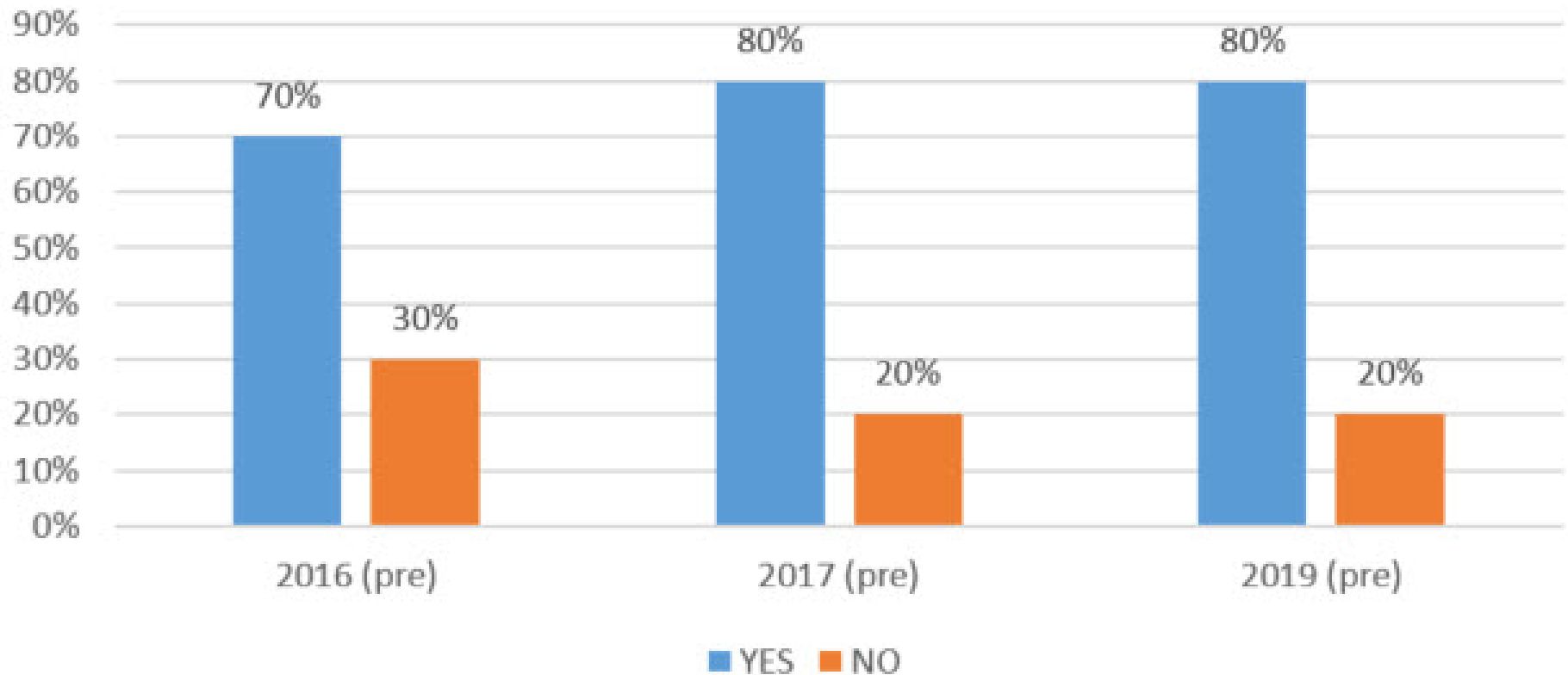
S v Makwanyane 1995 (3) SA 391 (CC)

A practical example

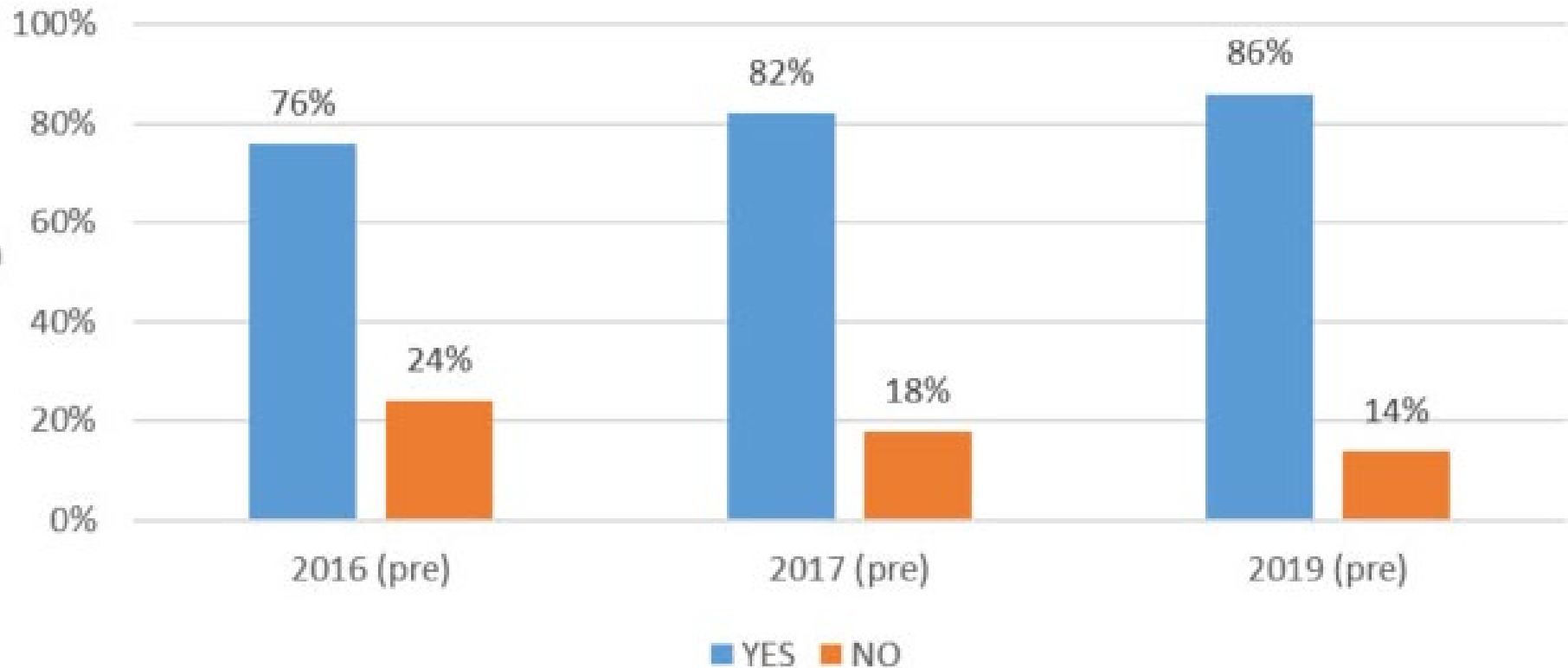
- Administrative Law 4 | I
- 200 final-year LLBs
- 1 semester
- 16 credits



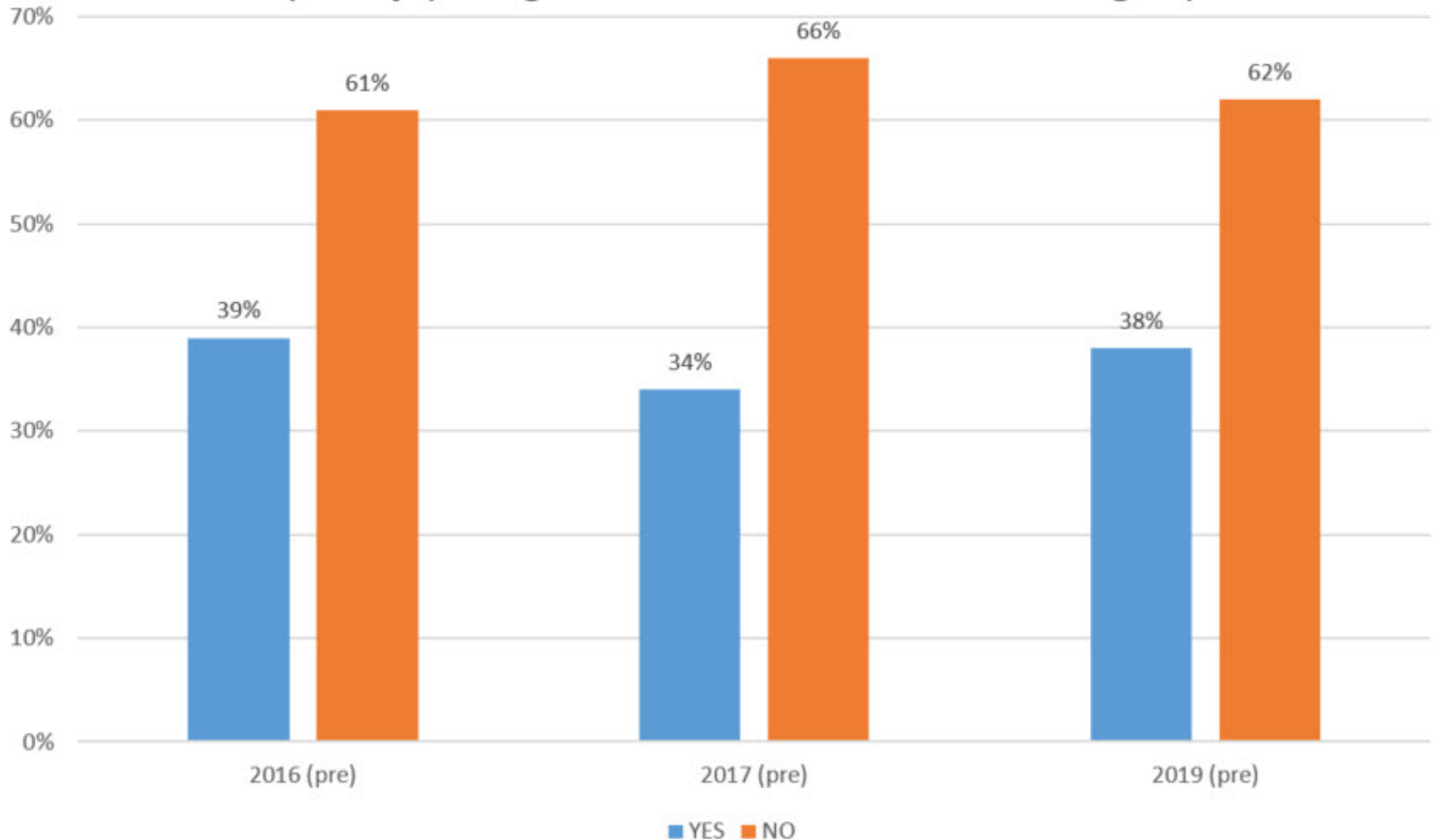
Do you think there is a need for group learning in the LLB programme?



Do you think there are any benefits in learning within a group setting?



Do you enjoy doing academic work within a module in groups?



Problem I

You are employed as the legal advisor of the Endor Municipality. The Municipal Manager asks you to write a memorandum in which you do a full analysis of whether ESKOM's disconnection of the electricity supply to the Municipality amounts to administrative action.

AA

Elements:

Decision: Gr 21 + 38

Of an admin nature: Gr 22 + 37

By an OoS/natural/juristic person: Gr 23 + 36

Exercising public power/function: Gr 24 + 35

Ito legislation/empowering prov: Gr 25 + 34

That adversely affect rights: Gr 26 + 33

With direct, ext legal effect: Gr 27 + 32

Not excl: Gr 28 + 31

What if it is NOT AA?: Gr 29 + 30

Student	1	2	3	4	5	PLT %	Essay Mark	Final Mark
1	4	4	5	4	3	80	60	48
2	5	5	5	5	5	100		60
3	3	3	4	3	4	68		41
4	4	5	3	4	3	76		46
5	2	3	3	2	4	56		34

"In the first Administrative Law lecture, I was quite shocked to find that much of our predicate point depended on a group task ...The PLG has exceeded my expectations. Everyone in my group made a substantial contribution, contributing to a complex and multi-dimensional analysis of the legal question. Each person gave a different view, and regularly highlighted aspects of the problem that I sometimes didn't even notice. The PLG also gave me the opportunity to get to know people in my class better, and develop friendships"

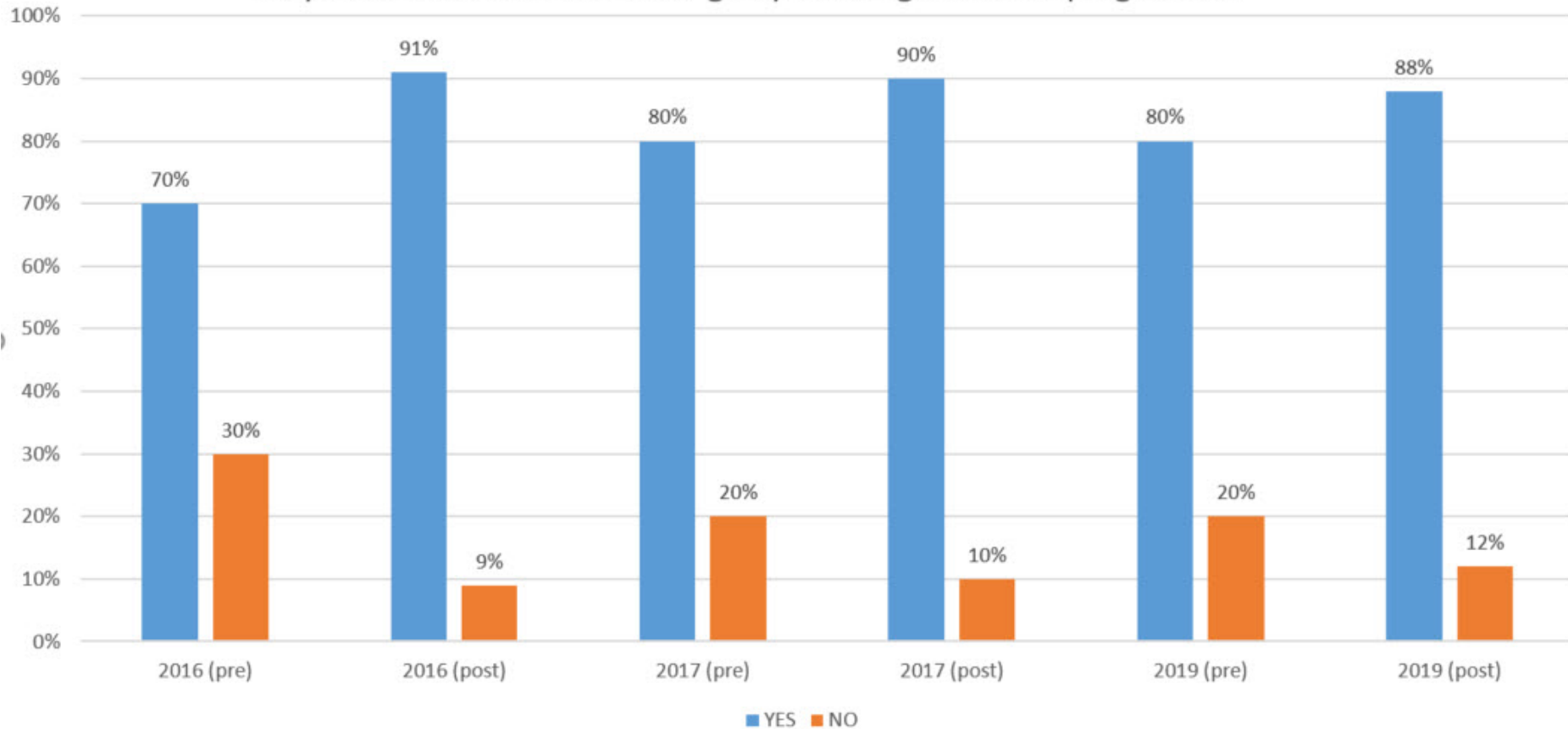
“Prior to having done the group work assignment and being placed in a PLG group I was sceptical about working with persons whom I was not familiar with in class. When the PLG lists came out, I saw that all my group members were Afrikaans, I thought I was doomed and would not be able to contribute as all my group members spoke a language I did not understand. When we first met up, the first thing our group decided to do was work in a language that everyone could understand which was English ... In the group sessions while working on problem 3, there were times when we each had different views on how the question should be answered. There were times when one could see that a team member was frustrated their point was not being heard, but we debated about the point until we saw its relevance, which made us understand and grapple with the work more as now we have taken different viewpoints into consideration ... The PLG was very effective in helping me change my mindset about group work and how I viewed my classmates. As a result of the PLT group from Administrative Law, I started working with some of our other modules together such as Tax Law and Company Law. One could safely assume that we are becoming friends as in the beginning for instance we were forced to sit next to each other in our PLG groups, now we do so automatically.”



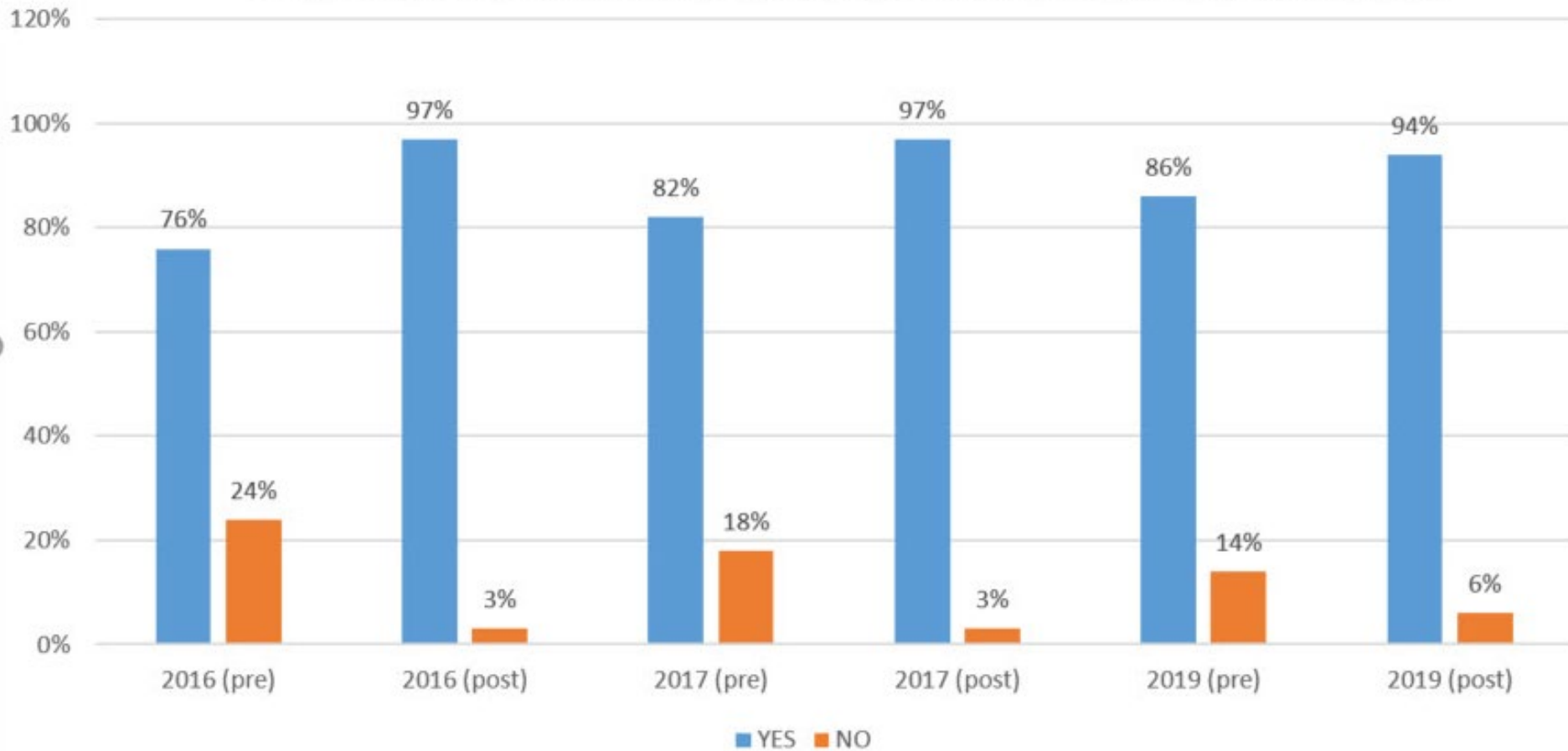
I'm sending this email just to say thank you for ... the interactive and engaging methods you used ... definitely made the subject way more fun than I would have thought possible.

My main thank you however, is for the PLG groups. Bear in mind, I spent my first two years in [a particular university residence hall] where I made so many friends who also studied law so lectures were always fun. By third year however, almost all of those 30 friends had failed or dropped out. I knew I had to keep attending lectures regardless, so throughout third year - lectures were very lonely and boring indeed! However, you assigning us to PLG groups really made me realise how important it is to persist in establishing connections with my peers. My PLG has become so close, and has made me look forward to going to lectures again, (not just Admin law) because they're always ready to converse with a smile on their faces. You've unwittingly given me four new invaluable friends who I'm sure will be great help in my future career if I ever need them. So thank you!

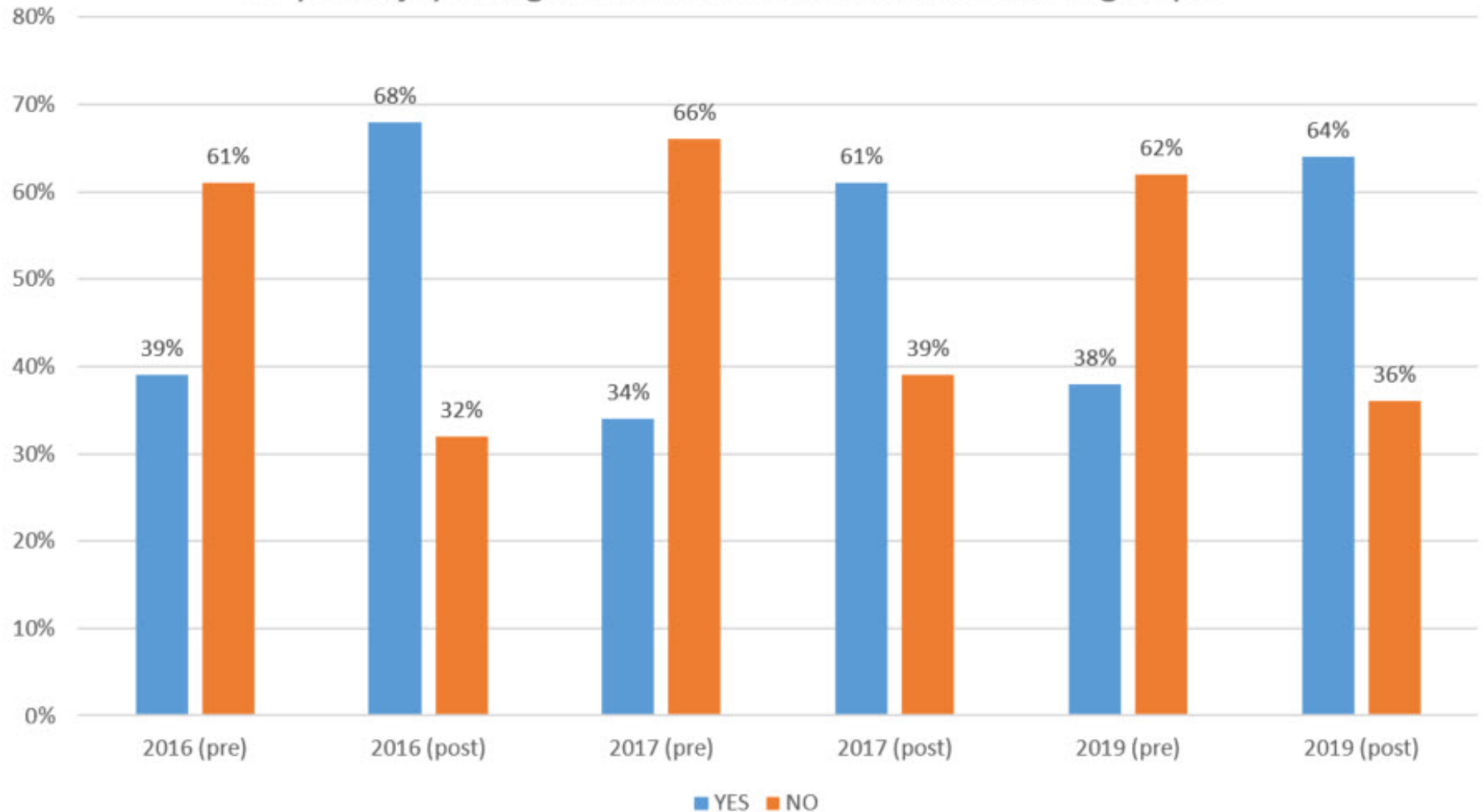
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To conclude...

References

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