

## **Constitutions and Implementation: The New South Africa, Participatory Action Research and the Unificationist Task**

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Constitutions are for practical purposes. For implementation. They are not just 'ideas' or 'a piece of paper' or 'rules', although they may also be seen or function as such. A constitution does not exist in and of itself, even though it has existence as a document; it is inextricably linked with the people who create it and live by it. This is the fundamental principle of the universe, things exist in a polar way, dependent on each other.

It is a common assumption that once there is a good constitution a good society will result. Although there is no constitution without people with a desire for righteous implementation - ie everyone would like righteous implementation of a constitution – a good constitution does not guarantee righteous implementation. South Africa, which had its first democratic elections in 1994 is considered internationally to have an excellent constitution – most

citizens are extremely proud of it too – but they are disappointed in how they have managed its implementation. All consider this responsibility to lie with the citizens themselves rather than with the Constitution. So it is important to take into account that people's behaviour may differ vastly from a constitution and that a good CIG-C is not a guarantor of CIG.

In the case of CIG it must be fairly obvious that, although someone somewhere thinks this is a good constitution and that a good society will result from it, already, just as it is offered publicly and amongst the people who are most likely to accept and live by it, there is dissension. Many of them would have difficulty considering it. (Never mind about the people who have never heard of it, to whom it would presumably also apply!)

It would also be conflated thinking, and unrealistic, to maintain the converse point of view: that a good constitution has to be there in order for something to be realised. That there must be a constitution before CIG is there. It is rather more complex than this.

It is important to keep in view what a constitution can and can't do in relation to people

With my way of thinking here I am aware that I am on that side of the fence, if there is such a thing, of those who think the current CIG-C is a 'work in progress' (Robin Graham, letter 20.04.14; Ron German 28.04.2014). From a general academic point of view I can't see how it could be otherwise. The root and soul of academic work is enquiry. I believe enquiry is essential for CIG.

It might be important to understand where I am coming from academically-speaking. I am trained at postgraduate level in Music, Musicology, Ethnomusicology (in Cultural Anthropology, in other words), in Comparative Religion at UTS (Class of '93), and in Psychology since then. I am in the Arts, Humanities and Religion in other words, not the Natural Sciences or Politics and Economics. However I currently work in a medical setting and have my fair share of reductionism daily.

I am also a Unificationist, having joined the Unification Movement when it was called the 'Society for the Unification of World Christianity' in 1973 in Germany under Paul Werner. I have worked as a full-time academic in South Africa for 15 years (three of these as HOD), and have been a Clinical Psychologist for 14 years, working for the NHS in the UK for 9 years.

As a researcher I have been most interested in qualitative research and in grounded theory. I am fascinated by how other people view the world, and especially how differently from me they view the world. This paper reflects that research interest. This piece is essentially a position paper on what I see as some of the important issues concerning the CIG-C discussion so far.

I am personally grateful that someone has written a Constitution. It is always easier when there is already a proposal on the table. It opens the forum, opens the curtains on the play.

However there is an awareness issue which makes a CIG-Constitution rather a tricky issue socially.

For one thing, CIG is already there. It is our problem of awareness and behaviour that we are not as much a part of it as we would like to be.

This is one reason why I see it as a work in progress. I cannot for the life of me see how it could not be a work in progress, because all of us in the movement have such different grasps, different cultural, political and religious understandings at any one time of what CIG is about. Never mind about our

standards of behaviour.

I think it would be difficult to have a complete constitution at this stage because there is no v deep understanding of what CIG is. However good it might be, could such a heterogeneous body as the worldwide FFWPU accept it?

Another reason for seeing it as a work in progress from an academic point of view.

A further reason is that, because of my research interest as a qualitative researcher, I am interested in people's perceptions of it, in how they understand themselves in relationship to a CIG-C, and how this might or might not influence their behaviour.

My main interest in it is as a work in progress, a process, a process to hasten the awareness, perception and enjoyment of CIG. A world constitution for peace is a fascinating process to bring CIG closer to the average person such as myself and my friends.

#### THE SOUTH AFRICA CONNECTION

My interest in the existence of and life of a such a constitution has its source in my experience of living in a state which in the recent past experienced the radical change of its constitution. There seem to be some aspects of the global situation vis a vis CIG-C which possibly make it similar to the SA situation before and after 1994.

What is similar is that there is a desire to have a state (of whatever size) which is 'new' but which has to be conceptualised, agreed upon, and lived in and upheld by all the 'same old' people – many of whose lives had been rated acceptable and righteous by them in a markedly different constitutional and legal framework. It was a society which was culturally heterogeneous, little intermarried and with generally few mutual foundations for understanding of, and communication with, other cultural groups – rather like a group of sovereign peoples. And they were now required by law to be different.

It was a tall order. Potentially a CIG-C in miniature.

#### SA FREEDOM CHARTER

This situation has occurred many times before historically. Mention has been made of historical cases in the 'April letter'.

*For example*, according to Unificationist belief Jesus would have been likely to be in the situation of wanting to create a 'world' or 'global' constitution. He did not get this chance. Constantine later achieved the Christian state, but because of Jesus' lack of a foundation for physical power there has been a not inconsiderable state-church difficulty ever since.

This leads directly to the current apparent difference of opinion on whether the CIG-C should be one govern an organisation (as the 'April letter' hopes) or whether it can be a global one of physical power in the sense of FFWPU's ultimate striving.

As another example: the prophet Mohammed (may his name be praised), didn't have this problem. His revelation is regarded as law – Shariah – and Islam is designed to be lived rather than 'just' believed. It would be important, I think, to hear more comments from this direction, about the advantages and the disadvantages of this type of arrangement. More needs to be known about the history of Islam to understand how they first moved towards the 'religious' state. More needs to be known about Tibet too.

Consultation might also create an interreligious discussion at an academic level.

I want to make it clear, however, that I am thinking in the context of a state here and not an organisation, I'm speaking in the context of moving from one type of state to another, even if this takes place over many years.

It is very, very difficult for any organisation to become the state. I feel that the historical point has come where the idea of the global state could be entertained.

This symposium with this title is curiously reminiscent of situation in SA before 1994 and it reminds me of seminar work I was doing with advanced students in the late 1980s about the future cultural possibilities for South African music and society.

We knew for some years that apartheid would come to an end even though we could not see what end this would be – just as we understand in Unificationism that there is a foundation and that we will get CIG up and running. We wondered whether and often doubted that there could be a peaceful transition. Many

people thought there could not be, and were therefore were against it.

However in the Unificationist Movement in SA we were certain of it because it was said that as soon as PWBotha had his stroke and was considered not able to come back to work as Prime Minister (1988-9) we had the word that things were over for apartheid. And sure enough FW de Klerk became Prime Minister. That he and Nelson Mandela received the

Nobel Peace Prize for dismantling apartheid and setting up a GNU (Government of National Unity) which oversaw the creation of the new constitution is now history.

In its 20th year problems have developed with past resentment catching up with people in the form of corruption in government structures. However there is still universal acclaim for the Constitution. And I can testify to the fact that that document was consulted and created by many, many citizens, all of whom were invited for the task – myself included. Legally it is an excellent piece of work.

This experience has led me to believe that even if you have an excellent constitution it does not necessarily guarantee an excellent state.

The SA experience taught me that creating a constitution is an uplifting and unifying experience in itself (and this is what I secretly hope for CIG-C).

It also taught me to trust in other people's capacity to work for the best solutions for each

## IMPLEMENTATION

What would interest me is being part of a constitution which can be declared excellent by all who dwell or sail in her.

Having an academic HOD responsible for all budgets, standards of work, examining, results and graduations in a department of an institution highly diverse in religion and culture, I can say that I have had my share of academic discussion. One of the conclusions I have come to is that there is a tremendous store of worthy knowledge mouldering unaccessed. A tremendous amount more is being produced as we speak. It does no good because it has never been put to the test. It is academic only.

If we were thinking of talking about this kind of constitution I would find this difficult – written ideas which have not be made to work. My interest is possibly in making CIG manifest using the process of constitution-making, of using a work in progress to progress.

There is a written document which could be very useful on the way to a constitution – as a counterproposal, or as a foil for global discussion – and that is a Charter or a Bill.

This could capture the fundamental framework for a constitution and might be easier for people to agree on and work with. In SA the so-called Freedom Charter was created by thousands of disenfranchised Africans in 1955. This became the bedrock out of which and around which the new Constitution was created.

Constitutions have ultimately to be rendered by lawyers, not by 'any academics' who are available, which we have to admit we are. In SA we were lucky enough to have a lawyer at the helm, a lawyer who knew what it was to have a dedicated and personally-sacrificial public lifestyle for his people (to which his children testify).

Because of the quality of Mandela's leadership and the strength of hope of ordinary SAns and their good will, after 1994 most law departments at most SA universities offered free legal aid clinics, and also offered their students for community work on the consultation for the Constitution. This allowed the nation to respond to the call for discussion. Millions came forward. Much of the credit must go to those who collated information from thousands of meetings around the country. (I was well aware of the process as a student in my department had a father who was one of the main constitutional lawyers. Because he was blind she had an important hand in this work.)

Arriving at an excellent constitution even when you have a personally-sacrificial leader is impossible unless you finding others suitable of carrying the beacon across the nation. It does not occur in a vacuum if people are to be won for the constitution. It takes place on a foundation.

In SA part of the foundation was the Freedom Charter. However the FC was just a document and framework. The real foundation consisted of individual people of the nation who came forward and gave their time again and again outside of 9-5. This was the foundation of blood, sweat and tears ordinary SAns gave. But also this came upon the previous foundation of sacrifice over the 40 years apartheid was in place.

THE FREEDOM CHARTER FINAL SENTENCE:

**‘Let all people who love their people and their country now say, as we say here:**

**THESE FREEDOMS WE WILL FIGHT FOR, SIDE BY SIDE, THROUGHOUT OUR LIVES, UNTIL WE HAVE WON OUR LIBERTY.’**

It is this foundational process which interests me. How to get people to voluntarily move towards creating something together which is defining, possibly prescribing, as well as reconciling and preserving of very different ways of understanding an ideal way of living together?

#### PARTICIPATORY ACTION RESEARCH AND CHEON IL GUK

As a qualitative researcher I propose that Participatory Action Research could be very useful to enable healthy enquiry and pragmatic results around CIG-C.

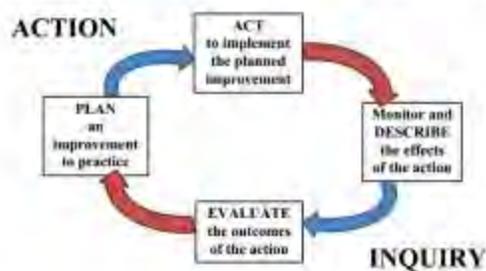
#### [1] Theoretical Orientation

Action Research has been used in community development, agriculture, health care and education as a strategy for involving participants in shared work to improve practice, change organisational structure or enhance collaboration – or all three.

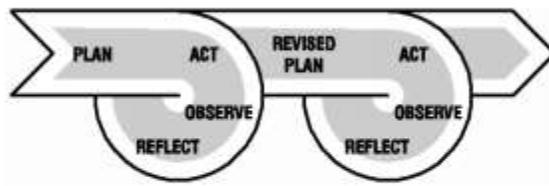
It has its academic roots in sociology, social psychology, psychology, organisational studies, and education. Action Research can also be described as a family of research methodologies which pursue action (or change) and research (or understanding) at the same time. In most forms it d



Diagram 1: The 4-phase representation of the basic action inquiry

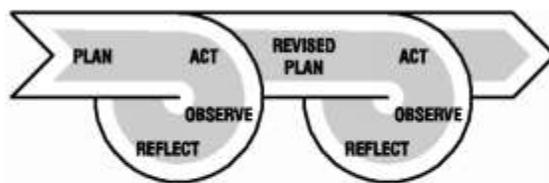


In later cycles it alternates between data collection and interpretation in the light of the understanding developed in the earlier cycles. It gradually converges towards a better understanding of what happens. Action is primary



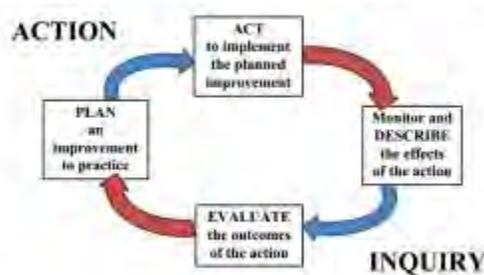
Kurt Lewin is credited with coining the term. [*'The research needed for social practice can best be characterised as...a type of action-research, comparative research on the conditions and effect of various forms of social action, and research leading to social action. Research that produces nothing but books will not suffice'*. Lewin, 1948.]

Subsequently it was used particularly in community-based research, or in improving educational encounters. The Nordic branch focussed particularly on workers and factories, now Australian work particularly focusses on business ventures. It is democratic (enables participation of all), equitable (acknowledging worth of all participants) and life-enhancing (enables focus on full human potential, can be liberating of oppressive social situations).



'Spiral of steps' – each of which is composed of a circle of planning action and fact-finding about the result of the action,

Diagram 1: The 4-phase representation of the basic action inquiry



Identifying an initial idea/topic -> reconnaissance/fact finding -> planning -> take first action step -> evaluate -> amended plan -> take 2nd action step...and, and

The focus is always on improving my quality, not necessarily the action of others.

*[How will we know whether we are achieving our goals?]*

*How will we record and share what we learn?]*

[2] What its value could be to the Movement?

\*Because individually and voluntarily driven it maximises what any individ can achieve in any

Enables individ to work and be nurtured by group of like-minded individs; repetitive nature

-Develops the individual, sharpens up realistic self-evaluation, capacity to arrive at goal, enables examining evidence of own behaviour. Because it's developmental, it bypasses the guilt-trip inherent when the goal is determined by authority. When there is failure the reasons for failure are clearly understood and taken responsibility for, and the individual has another go on the next round, from a position of better understanding, better skills, and more hope –rather than from waning self-confidence.

-Participatory nature creates a wider social influence than any unelected individual can do alone. The written record also has this effect because there is an obligation in the method to distribute results. In our case this raised our profile in the eyes of international funders, of local press, and particularly of local teachers who read these reports – it made them feel they could be successful. It also made workers in other cities a bit jealous and raised their game to compete against our record.

We were able to produce good results not because we were particularly special, but because the method has a startling effect if directed correctly.

\*Because socially-developmental it can make a difference which no individual can make. In my SA project funded by SIDA this went from a group of 4 who began, to a group of 150 3 yrs later. It remained at 150 only because I wouldn't allow the 15 group leaders that were developed to have more than 10 in their group, and because of all of our work schedules would not allow me to s/v more than 15 group leaders. But groups only met once a fortnight. There were 150+ others who were dying to be part of it and who were allowed to attend the 6-monthly presentation of progress.

When we stopped accepting funding in the fifth year we assessed we had affected more than 8000 children on an ongoing basis (not just an in-out interaction) in terms of arts education. And I had never taught one class in music/arts to these teachers, 95% of whom were not trained arts teachers.

\*Because v carefully & robustly structured, it doesn't fall apart from failure, doesn't increase more than the structure can deal with. Promotes strong, engaged, self-directed participants.

There is no constitution without people with a desire for righteous implementation. A constitution does not exist in and of itself even though it has separate existence as a document. The best way to create a constitution, or to improve, update or increase the relevance and popularity of an already-existing constitution, is to interest and involve motivated people to discuss, reflect, create awareness and create participation in a thrust to define a framework for possible implementation. Making CIG pragmatically manifest is a way to reach an outcome which will not suffer from ivory-tower thinking (and be shut away into a cupboard). It is also a way of thinking things through socially and making them implementable.

From an academic point of view, working CIG groups, driven by individuals' own interest, could take on different aspects of defining the framework which could offer the main questions for discussion for reconciliation and to further develop cross-EU and cross-continent participation

From an implementation point of view, individuals' current work and social and religious involvement could be their place of developing their own projects which test constitutional questions and simultaneously work towards aspects of implementation.

Research Question? One of my first would be: What is the environment necessary for a CIG-C to be created so that it could be acceptable to 50% of the population?

Another would be to work towards creating a Charter w FFPWU input, pushing towards a Foundation of Acceptance, of ownership, by using AR.

This would be very likely to develop and enliven participants' motivation for the development of the Cheon Il Guk society. Cheon Il Guk is there – it's a case of awakening and spreading this awareness. The quickest way to the best constitution is to awaken people's natural sense of righteousness and spirituality and to make them take responsibility for it with a constitution. One way to structure the journey is through AR.

Thank you for your attention.

And as they would shout at the end of one of the rallies in SA

VIVA CHEON IL GUK!

And you would reply?...VIVA!



Bogdan and Biklen. 1992. Research as a 'frame of mind' – 'a perspective that people take toward objects and activities', in *Qualitative research for Education*. Boston: Allyn and

Elliott, J. 'An enquiry into your own practice; action drives the research and is its motivating force, with a view to improving practice. In *Action Research for Educational Change*. Milton Keynes, Open U Press, 1991.

McNiff, Lomax, Whitehead. 'Action researchers are intent on describing, interpreting and explaining events (enquiry) while they seek to change them (action) for the better (purpose).

McNiff, Lomax, Whitehead. *You and your action research project*. London :Routledge, 1996.

Kemmis, McTaggart, Evans, *The Acton Research Planner*. 3rd ed. Waurm Ponds:Deakin U

Zuber-Skerritt. *Action research in higher education :Examples and reflections* London: Kogan Page, 1992