

7th International Social Justice Conference

Hosted by the Centre for Social Justice



Decoloniality, constitutional transformation and social justice in the Global South

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FOREWORD

In an age defined by cascading crises characterised by a confluence of climate disruption, persistent inequality, deeply fractured social relations, internecine armed conflict, the spectre of a third world war amid global governance failures, the demand for constitutions and constitutionalism that truly guardrail good governance has never been more pressing.

Such constitutional frameworks must be undergirded by fairness to all, both within and between identity-plural societies. This is the essence of social justice. It is also the indispensable foundation for powering sustainable development, upholding the rule of law, and securing lasting peace. Without these guardrails, governance remains brittle, development remains extractive, and peace remains elusive. The Global South, with its rich tapestry of peoples and histories, stands at the forefront of this demand, insisting that constitutional transformation must move beyond formal equality toward substantive equality that heals, includes, and empowers.



Yet the path to such transformation is obstructed by a profound historical amnesia: the systematic marginalisation of indigenous legal and knowledge systems. These systems once enabled humanity to transcend the harsh circumstances of existence and to prevail. They are the reason humans—puny in the animal kingdom—are still here. Rooted in intimate observation of land, kinship, cosmology, and reciprocity, indigenous knowledge offered adaptive resilience long before modern science claimed monopoly over solutions. Their suppression was not merely collateral damage of conquest; it was a deliberate epistemic violence that impoverished the global reservoir of wisdom precisely when humanity most needs diverse tools for survival.

Colonialism's destructive impact extended far beyond political oppression and economic extraction. It included the active suppression of knowledge systems that could have been added to the pot of solutions for the challenges we face today: food security, human security, environmental preservation, and just transitions. The architecture of structural inequality remains largely intact—both within former colonies and between them and the former colonising countries that continue to benefit from the accumulated advantages of empire and industrial-scale slavery. This enduring architecture is visible not only in patterns of poverty and economic disparity, but in epistemic and cultural asymmetries that shape everyday life. Nowhere is this clearer than in food systems. Many former colonies remain locked into staple crops that are poorly attuned to local biological and environmental realities. Maize in Southern Africa is a stark example: neither optimally nutritious for the populations that depend on it nor climate-resilient in the face of intensifying droughts and shifting rainfall patterns. What was once imposed as progress has become a structural vulnerability.

The same alien imposition marks the legal domain. Across much of the Global South, people are regulated by laws that bear little resemblance to the rhythms of everyday life, with the disparate distributive impacts borne primarily by those at the lowest rungs of colonially established social stratification. Succession and administration of estates, for instance, continue to operate under frameworks that disregard indigenous understandings of lineage, communal property and intergenerational responsibility.

General civil dispute resolution remains dominated by Roman-Dutch legal precepts, alien not only in substance but in method. The adversarial approach separates criminal justice from civil justice, leaving victims of crime without meaningful restitution and communities without mechanisms for restorative healing. Justice becomes a technical performance rather than a lived experience of fairness. In identity-plural societies, such dissonance between law and life deepens alienation and undermines the very legitimacy that constitutional orders require.

Yet this moment of reckoning also presents an unprecedented opportunity to mine old wisdom, particularly from the Global South, to address current seemingly intractable challenges in a transformative way that transcends transactional problem-solving.

In this spirit, we may consider the wisdom of young Pixley ka Isaka Seme, who, a hundred and twenty years ago, offered a shared, humanity-centred redemptive opportunity to the world in his Columbia University prize-winning essay, published in 1906. Titled "The Regeneration of Africa," ka Seme, who proudly commenced his address with the iconic words "I am an African," declared:

"The brighter day is rising upon Africa...her crowded cities sending forth the hum of business, and all her sons employed in advancing the victories of peace, greater and more abiding than the spoils of war. ... The regeneration of Africa means that a new and unique civilization is soon to be added to the world. ... The most essential departure of this new civilization is that it shall be thoroughly spiritual and humanistic, indeed a regeneration moral and eternal!"

The Ubuntu-anchored vision of human consciousness regeneration as an anchor of the next phase of human civilization undergirded by an African renaissance was affirmed by Nnamdi Azikiwe in 1937 and, more famously, by Ghana's first post-colonial president Kwame Nkrumah in his landmark address at the All Africa People's Conference in 1958. South Africa's Steve Biko later reframed that vision specifically for a post-colonial South Africa with piercing clarity, stating:

"We have set out on a quest for true humanity, and somewhere on the distant horizon we can see the glittering prize. Let us march forth with courage and determination, drawing strength from our common plight and our brotherhood. In time we shall be in a position to bestow upon South Africa the greatest gift possible: a more human face."

These appeals are apposite for the confluence of pathologies and related challenges confronting humanity today. They are invitations to a global reorientation in which the Global South does not merely assimilate to a pathological world order but contributes distinctive civilisational resources rooted in relationality, dignity, and ecological balance to the common human project.

Evidence-based and impact-conscious wisdom traditions from indigenous knowledge systems globally reinforce the imperative to learn from the past in order to face the present and shape the future. From the vaults of Kemet's ancient civilisation to the highlands of Ethiopia come the enduring insights showing that a competent government did not merely regulate and provide welfare but enabled its people to thrive sustainably, which included mobilising them for protection not only against human security challenges but also from impending food-insecurity futures. To what extent does such disaster prevention wisdom continue to be embedded in public governance systems and related statecraft?

In confronting contemporary justice, including social justice challenges, the philosophical legacy of Kemet undergirded by the principle of Ma'at—balance, truth, and right order—reminds us of the mathematical foundations of justice as an ideal that should inform the daily practice of harmony within and between human society and the larger cosmic order. This resonates with Ubuntu foundations, particularly as summarised by South Africa's Constitutional Court in *S v Makwanyane*, at the core of which is the equal worth and deservingness of each person with equitable entitlements and responsibilities in the commonwealth of humanity anchored in human interconnectedness and interdependence with the environment and mindful of the need to ensure sustainability and the duty to act as stewards of the legacy to be inherited by future generations.

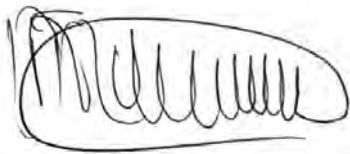
From the Andean highlands of South America, Ubuntu finds resonance with the philosophy of *sumak kawsay* (good living in reciprocal relationship with Pachamama), which teaches that meaningful and sustainable development cannot be measured by extraction but by the flourishing of all beings within an interconnected web. These voices, separated by oceans and millennia, converge on a single truth: the past is not a museum; it is a living library of adaptive intelligence.

These ancient nuggets of wisdom, mainly from formerly colonised communities, remind us—as Asian elders speaking through Confucian and Daoist streams remind us—of the importance of knowing the past as a way of achieving greater clarity about the present while illuminating the path ahead and navigating the future with greater wisdom and impact consciousness.

The conference on Decoloniality, Constitutional Transformation and Social Justice in the Global South, accordingly seeks, among other things, to ensure the Global South recovers its epistemic voice for the common good. The theory of change is that when the Global South recovers its epistemic voice that has been suppressed through colonialism and neocolonialism, the world recovers a missing half of its humanity.

Worth underscoring is that decoloniality is not a rejection of modernity but a demand for its radical expansion to include the legal systems, food systems, and knowledge systems that colonialism rendered worthless or invisible. The transformative constitutionalism demanded by the conference engagements seeks to reweave social contracts that reflect the plurality, resilience, and moral imagination of the peoples they claim to serve—to ensure societies and a world that is not only tailored for all but also tailored by—and thus benefiting from the wisdom of—all. Such anti-colonial pedagogy transformatively demands that social justice, food sovereignty, and substantive equality not be relegated to optional add-ons but be integral metrics of good governance and of both public and private leadership to ensure shared prosperity, where all people thrive on a sustainable and peaceful planet.

Deliberations of this conference, therefore, should be characterised by intellectual courage, historical honesty, and generative hope, drawing from indigenous systems not as romantic artefacts but as living sources of knowledge from which to draw solutions to the world's pressing legal, political, economic and social challenges and the confluence of perennial crises generated by such. In recovering what was marginalised, the conference presents an opportunity not merely to correct the past but to epistemically liberate ourselves to draw solutions for constitutional, social justice and existential challenges from both the Global South and Global North, thus enlarging the future for all.



Professor Thuli (Thulisile) N. Madonsela

Law Faculty Trust Chair in Social Justice | Director, Centre for Social Justice

Stellenbosch University

20 August 2026

National Anthem of the Republic of South Africa

Nkosi sikelel' Afrika
 Maluphakanyisw' uphondo lwayo
 Yizwa imithandazo yethu
 Nkosi sikelela thina lusapho lwayo
 Morena boloka setjhaba sa heso
 O fedise dintwa le matshwenyeho
 O se boloke o se boloke setjhaba sa
 heso
 Setjhaba sa South Africa, South Africa
 Uit die blou van onse hemel
 Uit die diepte van ons see
 Oor ons ewige gebergtes
 Waar die kranse antwoord gee
 Sounds the call to come together
 And united we shall stand
 Let us live and strive for freedom
 In South Africa our land

African Union Anthem

Let us all unite and celebrate together
 The victories won for our liberation
 Let us dedicate ourselves to rise together
 To defend our liberty and unity
 O sons and daughters of Africa
 Flesh of the suns and flesh of the sky
 Let us make Africa the tree of life
 Let us all unite and sing together
 To uphold the bonds that frame our des-
 tiny
 Let us dedicate ourselves to fight together
 For lasting peace and justice on earth
 O sons and daughters of Africa
 Flesh of the suns and flesh of the sky
 Let us make Africa the tree of life
 Let us all unite and toil together
 To give the best we have to Africa
 The cradle of mankind and fount of cul-
 ture
 Our pride and hope at break of dawn.
 O sons and daughters of Africa
 Flesh of the suns and flesh of the sky
 Let us make Africa the tree of life

Preamble to the Constitution of the Republic of South Africa, 1996

English

We, the people of South Africa, Recognise the injustices of our past; Honour those who suffered for justice and freedom in our land; respect those who have worked to build and develop our country; and **believe that South Africa belongs to all who live in it, united in our diversity.** We therefore, through our freely elected representatives, **adopt this Constitution as the supreme law of the Republic** so as to **heal the divisions of the past** and **establish a society based on democratic values, social justice and fundamental human rights;** Lay the foundations for a democratic and open society in which government is based on the will of the people and **every citizen is equally protected by law; improve the quality of life of all citizens and free the potential of each person;** and **build a united and democratic South Africa** able to take its rightful place as a sovereign state in the family of nations. May God protect our people. Nkosi Sikelel' iAfrika. Morena boloka setjhaba sa heso. God seën Suid-Afrika. God bless South Africa. Mudzimu fhatutshedza Afurika. Hosi katekisa Afrika.

isiXhosa

Thina, bantu baseMzantsi-Afrika, Siyaziqonda iintswela-bulungisa zexesha elidlulileyo; Sibothulel' umnqwazi abo baye bev' ubunzim a ukuze kubekho ubulungisa nenkululeko elizweni lethu; Siyabahlonela abo baye basebenzela ukwakha nokuphucula ilizwe lethu; kwaye Sikholelwa kwelokuba uMzantsi-Afrika ngowabo bonke abahlala kuwo, bemanyene nangona bengafani. Ngoko ke, ngabameli bethu abanyulwe ngokukhululekileyo, samkela lo Mgaqo-siseko njengomthetho owongamileyo weRiphabliki ukuze—Kungcibeke imisantsayexesha elidlulileyo, kwakheke noluntu lwentando yesininzi, ubulungisa basentlalweni namalungelo oluntu asisiseko; Kwandlalwe iziseko zoluntu lwentando yesininzi nolukhululekileyo apho urhulumente engowentando yabantu kwaye ummingamnye ekhuselwe ngumthetho ngokulinga- nayo nabanye; Kuphuculwe umgangatho wobomi wabo bonke abemi, kukhululwe nomntu ngamnye afikelele kwelona nqanaba anokufikelela kulo lobuchule bakhe; kananjalo Kwakhiwe uMzantsi-Afrika omanyeneyo wentando yesininzi okwaziyo ukuthabatha indawo yawo onelungelo layo njengelizwe elizimeleyo kusapho phakathi kwamanye amazwe. Ngamana uThixo angabakhusela abantu bakowethu. Nkosi sikelel' iAfrika. Morena boloka setjhaba sa heso. God seën Suid-Afrika. God bless South Africa. Mudzimu fhatutshedza Afurika. Hosi katekisa Afrika.

Afrikaans

Ons, die mense van Suid-Afrika, erken die ongeregtighede van ons verlede; huldig diegene wat vir geregtigheid en vryheid in ons land gely het; Respekteer diegene wat hul beywer het om ons land op te bou en te ontwikkel; **en glo dat Suid-Afrika behoort aan almal wat daarin woon, verenig in ons verskeidenheid.** Daarom neem ons, deur ons vryverkose verteenwoordigers, hierdie Grondwet aan as die hoogste reg van die Republiek ten einde – die verdeeldheid van die verlede te heel en 'n samelewing gegrond op demokratiese waardes, maatskaplike geregtigheid en basiese menseregte te skep; Die grondslag te lê vir 'n demokratiese en oop samelewing waarin regering gegrondves is op die wil van die bevolking en elke burger gelyk deur die reg beskerm word; Die lewensgehalte van alle burgers te verhoog en die potensiaal van elke mens te ontsluit; en 'n Verenigde en demokratiese Suid-Afrika te bou wat sy regmatige plek as 'n soewereine staat in die gemeenskap van nasies kan inneem. Mag God ons mense beskerm. Nkosi Sikelel' iAfrika. Morena boloka setjhaba sa heso. God seën Suid-Afrika. God bless South Africa. Mudzimu fhatutshedza Afurika. Hosi katekisa Afrika.

Article 25 of the Universal Declaration of Human Rights

Everyone has the right to a standard of living adequate for the health and well-being of themselves and their family, including food, clothing, housing, medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond their control.

CESCR General Comment No. 12: The Right to Adequate Food (Art. 11)

Adopted at the Twentieth Session of the Committee on Economic, Social and Cultural Rights, on 12 May 1999 (Contained in Document E/C.12/1999/5)

Introduction and basic premises

1. The human right to adequate food is recognized in several instruments under international law. The International Covenant on Economic, Social and Cultural Rights deals more comprehensively than any other instrument with this right. Pursuant to article 11.1 of the Covenant, States parties recognize "the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions", while pursuant to article 11.2 they recognize that more immediate and urgent steps may be needed to ensure "the fundamental right to freedom from hunger and malnutrition". The human right to adequate food is of crucial importance for the enjoyment of all rights. It applies to everyone; thus the reference in article 11.1 to "himself and his family" does not imply any limitation upon the applicability of this right to individuals or to female-headed households.

PROGRAMME

The 7th International Social Justice Conference

Decoloniality, Constitutional Transformation and Social Justice in the Global South: Indigenous Systems, Food Sovereignty and Pathways to Substantive Equality

24 August 2026 | STIAS | Stellenbosch, South Africa

Programme Director: Mr Sello Hatang (Founder and Managing Director: Re Hata Mmoho)

08:00 – 09:00

Arrival and Registration of Delegates
Musa Plan Video
Musical Item: Umoya Marimba Band

09:00 – 10:05

OPENING PLENARY

09:00 – 09:05

Welcome Remarks by Programme Director: Sello Hatang (Founder and Managing Director: Re Hata Mmoho)

09:05 – 09:20

Singing of the **National Anthem** (2 mins)
Singing of the **African Union Anthem** (2 mins)
Reading of the **Preamble to the Constitution of South Africa**, 1996 (10 mins)
English Version: **Mr Liam Gillesen** (Social Justice Ambassador, Centre for Social Justice)
IsiXhosa Version: **Mr Alu Njongi** (Enrolled in the Diploma in Sustainable Development, EMS Faculty)
Afrikaans Version: **Ms Elretha Vaax** (LLB Law)

09:20 – 09:50

Opening Address: Prof Sibusiso Moyo (Deputy Vice-Chancellor: Innovation, Research and Postgraduate Studies, Stellenbosch University) (8 mins)

Address by UN South Africa: Mr Nelson Muffuh (Head of United Nations South Africa and Resident Coordinator) (8 mins) (online)

Address by the International Labour Organisation (ILO): Madame Sana de Courcelles (The Head of the Global Coalition for Social Justice (GCSJ) Unit) (8 mins) (online)

Address by the Council of Social Justice Champions (COSOC): Ms Basetsana Kumalo (Co-Chairperson, COSOC) (8 mins) (online)

09:50 – 10:40

KEYNOTE ADDRESSES

"Constitutional Transformation: Advancing Social Justice Through the Decentralisation of Colonial Systems" (20 mins each)"

Professor Juanita Pienaar (Acting Dean: Stellenbosch University Law Faculty)

Minister Dr Augustin Emane (Minister of Justice, Keeper of the Seals, and Minister of Human Rights, Gabon) (online)

10:40 – 10:55

Concluding Observations:

Prof Thuli Madonsela (Law Faculty Trust Chair, Professor of Social Justice and Director, Centre for Social Justice, Faculty of Law, Stellenbosch University) (20 mins)

PROGRAMME

Rapporteurs:

Dr Qinisani Qwabe (Lecturer: Department of Agricultural Sciences, Faculty of Science, Nelson Mandela University)

Dr Victoria Banke Olagbegi-Oloba (Postdoctoral Research Fellow, Centre for Social Justice, Faculty of Law, Stellenbosch University) (online)

10:55 – 11:15

TEA BREAK | GROUP PHOTO | MEDIA BRIEFING (30 mins)

11:15 – 13:00

KEYNOTE PLENARY: "Constitutional Transformation: Advancing Social Justice Through the Dismantling of Colonial Systems in the Global South"

Moderator:

Commissioner Philile Ntuli (Commissioner, Human Rights Commission)

Rapporteurs:

Ms Chriscy Blouws (Attorney, Women's Legal Centre)

Ms Thandile Ngxikwe (Post-Office to Parliament member and Social Scientist)

ANCHOR PANELLIST:

Prof Somadoda Fikeni (Chairperson, Public Service Commission)

Keynote Presenters: (20 mins each)

1. Prof Thuli Madonsela (Law Faculty Trust Chair, Professor of Social Justice and Director, Centre for Social Justice, Stellenbosch University) "Social Justice, Transformative Constitutionalism and Indigenous Law in the Post-Colonial Era" (20 mins)

2. Prof J Jarpa Dawuni (Professor of Political Science, Howard University Washington, D.C.; Director, Institute for African Women in Law) (online) (20mins)

Q & A 45 mins

13:00 – 14:00

LUNCH

14:00 – 15:30

PARALLEL SESSION I – VI (PRESENTATION OF CONFERENCE PAPERS)

14:30 – 15:30

PARALLEL SESSION I: TRANSFORMATIVE CONSTITUTIONALISM, STRUCTURAL INEQUALITY AND SOCIAL JUSTICE

Moderator:

Advocate Nthabiseng Mogale (Former Chairperson, Commission for Gender Equality)

Rapporteurs:

Ms Marthe Muller (SAWID) online

Ms Melissa Robertson (Doctoral Fellow & Researcher, H.F. Oppenheimer Chair in Human Rights Law, Stellenbosch University)

PROGRAMME

Anchor Panellist:

Ms Seehaam Samaai (South African Human Rights Commissioner, Eastern Cape)

Presenters:

1. Professor Narnia Bohler-Muller (Flourishing Life Research Theme, Faculty of Law, University of the Free State), *Hunger as Flourishing Denied: A Relational-Constitutional Account of the Right to Food* (online)

2. Mr. Clement Ngoma (PhD candidate at the University of Cape Town, Cape Town, South Africa), *The Right to Food under the Zambian Constitution: Towards a Rights-Based Framework for Food Sovereignty*

3. Mrs. Palesa Pitso (IIE Emeris NMB), *Recidivism as a Social Justice Failure: Exploring Restorative and Redistributive Pathways to Correctional Reform in South Africa* (online)

Q&A: 30 mins

14:00 – 15:30

PARALLEL SESSION II: DECOLONIALITY, CONSTITUTIONAL FUTURES AND EPISTEMIC JUSTICE

Moderator:

Dr Ntando Sindane (Senior Lecturer: Department of Public Law, Stellenbosch University)

Rapporteurs:

Mr Thulani Hlatwayo (Coordinator: Listen, Live and Learn (LLL) Programme and Resident Head: Senior Living Experiences)

Ms Jamie van Schalkwyk (Departmental Assistant, Faculty of Law, Public Law)

Anchor Panellist:

Mrs. Yevai Gerber (PhD Candidate, Amsterdam Centre for Transformative Private Law (ACT)), *The Political Economy of the Food System in South Africa: Historical Injustices of Corporate Power, Private Law and Ubuntu*

Presenters:

1. Prof Karin van Marle (Professor at University of the Western Cape and Research Chair in Gender, Transformation and World-Making) *Teaching Law and Social Transformation*

2. Mr. Mario Olckers (Khoisan-descendant independent scholar based in Eersteriver, Cape Town), *Erasure by Design: The Colonial Succession Doctrine, Demographic Capture and the Constitutional Non-Recognition of Khoisan Prior Claim in Post-Apartheid South Africa*

3. Dr Phoebe Oyugi (Humboldt University of Berlin), *Decolonising Responsibility in International Criminal Law: A Global South Critique of the Liberal Legal Subject*

Q&A: 30 mins

14:00 – 15:30

PARALLEL SESSION III: INDIGENOUS SYSTEMS, GOVERNANCE AND LEGAL PLURALISM

Moderator:

Prof Zsa-Zsa Boggenpoel (Department of Private Law, Stellenbosch University)

PROGRAMME

Rapporteurs:

Mr Akhona Sandaza (Manager: Academic Delivery, Faculty of Law, Eduvos)

Ms Mia West (LLB Candidate, Stellenbosch University and Social Justice Ambassador)

Anchor Panellist:

Professor Anthony Diala (Professor of Law and Director, Centre for Legal Integration in Africa; University of the Western Cape) (online)

Presenters (12 mins each):

1. Dr. Oluwasegun Ogunsakin (Department of Peace and Security Studies, Ekiti State University, Ado-Ekiti, Ekiti State, Nigeria), *Indigenous Peace Infrastructures and Transformative Governance in Nigeria*

2. Dr Opeyemi A. Gbadejesin (Department of Public Law, Faculty of Law, University of Ibadan, Nigeria), *Beyond Ukeje: Women's Participation, Customary Land Governance and Food Sovereignty in Nigeria* (online)

3. Mr. Mateo Andres Riveros Parra (MA Justice & Transformation, University of Cape Town), *Time to Change the Political Map: How the ETIs in Colombia Came to Be and Their Importance for Constitutional and Indigenous Governance*

4. Mr. Maxwell Xolani Rani (University of Cape Town Centre for Theatre and Dance Performance Studies), *Exploring the Role of African Contemporary Dance in Addressing Social Ills: UkuThwalwa in South Africa*

Q&A: 30 mins

14:00 – 15:30

PARALLEL SESSION IV: FOOD SOVEREIGNTY, FOOD JUSTICE AND SUSTAINABLE DEVELOPMENT

Moderator:

Prof Scott Drimie (Southern Africa Food Lab Director, Stellenbosch University)

Rapporteurs:

Dr Qinisani Qwabe (Lecturer: Department of Agricultural Sciences, Faculty of Science)

Ms Vicaria February (LLB, University of the University of the Free State and Research Intern, Centre for Social Justice, Stellenbosch University)

Anchor Panellist:

Dr. Vusi Mshayisa (Senior Lecturer & Curriculum Officer, Department of Food Science and Technology | UMnyango Wezesayensi Yezokudla nobuchwepheshe Cape Peninsula University of Technology)

Presenters:

1. Dr. Yuwan M. Shunmugam (Department of Religion Studies, Faculty of Theology & Religion, University of the Free State), *Seeing Hunger Again: Recovering Moral Urgency in Food Insecurity Discourse*

2. Dr. Favour Funke Akanbi (presenting), **Prof. Usang Maria Assim and Mrs. Gladys Mirugi-Mukundi** (Institution: Dullah Omar Institute for Constitutional Law, Governance and Human Rights, Faculty of Law, University of the Western Cape), *Reframing the Child's Right to Basic Nutrition Through Healthy Food Environments in South Africa*

Q&A: 20 mins

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14:00 – 15:30

PARALLEL SESSION V: GOVERNANCE, INSTITUTIONAL ACCOUNTABILITY AND TRANSFORMATIVE DEVELOPMENT

Moderator:

Dr Greg Munroe (Director, Cities Alliance)

Rapporteurs:

Prof Nic Olivier (Extraordinary Professor in the Faculty of Law, North-West University) Mr **Joel Elifala** (PhD Candidate; International Trade and Tax Law Advisory; ACI Arb; AML Desk Officer)

Anchor Panellist:

Prof Geo Quinot (Pro-Vice-Chancellor: Government Partnerships; Professor, Department of Public Law; Faculty of Law, Stellenbosch University; Director: African Procurement Law Unit) (10 mins)

Presenters:

- 1. Dr. Gareth Haysom** (Senior Researcher, African Centre for Cities, University of Cape Town), *The Governance of Absence: Institutional Accountability, Governance Failure and Substantive Equality in Africa's Urban Food Systems*
- 2. Ms Amber Randall** (LLB, LLM, LLD Candidate, Admitted Attorney, Departmental Assistant in Private Law, Stellenbosch University), *Rewriting Reality: The Gender Accountability Deficit in Artificial Intelligence Governance*
- 3. Mrs. Britta Rennkamp, Dr. Angela van der Berg, Prof Nerhene Davis, Mr. Gordon Ikbogwe, Prof Gina Ziervogel** (African Climate and Development Initiative: UCT), *Climate Governance Coordination in South Africa*

Q&A: 30 mins

14:00 – 15:30

PARALLEL SESSION VI: RESTORATIVE AND REDISTRIBUTIVE PATHWAYS TO SOCIAL JUSTICE

Moderator:

DDG Godfrey Mashamba (Deputy Director-General: Evaluation, Evidence and Knowledge Systems · Department of Planning, Monitoring and Evaluation)

Rapporteur:

Ms Jessica Elvos (LLB Candidate, Stellenbosch University and Social Justice Ambassador)

Anchor Panellist:

Dr Jacques Matthee (Vice-Dean: Learning and Teaching and Innovation and Digitalisation: Office of the Dean: Law Faculty: University of the Free State) (online)

Presenters:

- 1. Dr. Nonhle Tracey Sibisi** (Department of Corrections Management, School of Criminal Justice, College of Law, University of South Africa, Pretoria), *Social Disorganisation Theory and Ubuntu Philosophy: Towards a Decolonised Framework for Offender Reintegration in South Africa* (online)

PROGRAMME

2. Ms. Ané Theron (LLB, LLM, LLD Candidate, Department of Private Law, Stellenbosch University), *Acquisition Without Recognition: Unlawful Occupiers, the Right to Housing, and the Limits of Redistribution in South African and Dutch Abandoned-Property Regimes*

3. Ms Monique Carels (Lecturer and Mediator, Faculty of Law, University of Cape Town) *From Private Settlement to Social Justice: Family Mediation as a Restorative Practice in South Africa*

4. Dr Banke Olagbegi-Oloba (Postdoctoral Research Fellow, Centre for Social Justice, Faculty of Law, Stellenbosch University) *Strengthening Access to Justice in Housing and Land Disputes Resolution for Indigents and Low-Income Communities through Ubuntu-Informed Mediation. A Comparative Action Research in Post-Colonial Nigeria and South Africa* (online)

Q&A: 30 mins

15:30 – 15:40

Tea and coffee break and leg stretch

15:40 – 16:10

Report-Back Plenary by Rapporteurs (8 mins each)

16:10 – 16:45

Summation and Adoption of Conference Statement (35 mins)

16:45 – 17:15

Closing Address:

Justice Daniel Thulare (Justice of the Western Cape High Court Division) (30 mins)

17:15 – 17:35

Closing Ceremony:

Certificates of Appreciation to Speakers (20 mins)

Prof Thuli Madonsela (Law Faculty Trust Chair, Professor of Social Justice and Director, Centre for Social Justice, Stellenbosch University); **Ms Ziyanda Ngoma** (Head, Partnerships and Development Finance, United Nations South Africa) and **Dr Marna Lourens** (Project Manager, Centre for Social Justice, Stellenbosch University)

17:35 – 17:40

VOTE OF THANKS

Prof Thuli Madonsela (Law Faculty Trust Chair, Professor of Social Justice and Director, Centre for Social Justice, Stellenbosch University)



ABSTRACTS

KEYNOTE PLENARY:

"Constitutional Transformation: Advancing Social Justice Through the Dismantling of Colonial Systems in the Global South"

Social Justice, Transformative Constitutionalism and Indigenous Law in the Post-Colonial Era

Professor Thuli Madonsela

Law Faculty Trust Chair, Professor of Social Justice and Director, Centre for Social Justice, Stellenbosch University

South Africa's invocation of Ubuntu in its 1993 Interim Constitution, the Truth and Reconciliation Commission process, and the landmark transformative constitutionalism jurisprudence commencing with *S v Makwanyane*, together with Tanzania's comparable approach in *R v Pete*, exemplify efforts to demarginalise indigenous law and salvage it from the debris of colonial stigmatisation.

These developments have sought to confront postcolonial demands of cultural plurality while leveraging indigenous justice wisdom to address justice challenges, including the death penalty, restitutive justice, human rights and sustainable development.

This paper, titled "Social Justice, Transformative Constitutionalism and Indigenous Law in the Postcolonial Era", interrogates whether these transformative constitutional and jurisprudential interventions have gone far enough. Despite the normative ambitions of postcolonial constitutional jurisprudence and legal systems, the legacies of colonialism's legally engineered social stratification continue to be reflected in structural inequalities, disparities, food insecurity and cultural asymmetries. The central research question is: to what extent have postcolonial deployments of indigenous values dismantled, rather than merely reframed, the material and epistemic hierarchies inherited from colonial law?

Methodologically, the study adopts a comparative doctrinal and socio-legal approach. It analyses constitutional instruments, landmark judgments and Truth and Reconciliation Commission materials from South Africa and Tanzania, supplemented by literature on transformative constitutionalism, Ubuntu jurisprudence and African customary law. Drawing on postcolonial legal theory and a social justice lens, the analysis examines legal change against lived socio-economic outcomes.

The paper argues that, while reclaiming indigenous law opens normative space, deeper structural and redistributive measures and conscious tailoring for all, guided by substantive equality considerations, remain necessary to achieve substantive social justice. By weaving a social justice-rooted decoloniality paradigm that incorporates gender justice, demarginalises Indigenous African legal resources and places them at the centre of contemporary constitutional discourse, the study contributes to debates on the limitations and latent possibilities of postcolonial legal transformation.

PARALLEL SESSION I:

TRANSFORMATIVE CONSTITUTIONALISM, STRUCTURAL INEQUALITY AND SOCIAL JUSTICE

Hunger as Flourishing Denied: A Relational-Constitutional Account of the Right to Food

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Hunger is too often understood as a resource deficit closed by distribution. This paper argues that it is also an ontological and constitutional wrong: the foreclosure of becoming.

The primary framework is ubuntu, grounded in indigenous jurisprudence our courts have already received — *S v Makwanyane* and *Port Elizabeth Municipality v Various Occupiers* — and echoed in *SERAC v Nigeria*, where the African Commission read a right to food into a Charter that nowhere names it. The other terms follow from that ground, in order. If the self is constituted through relation, it is unfinished: always still becoming (ngisazophumelela, "I am still becoming"). Flourishing names that becoming as being permitted to unfold, flourishing denied its foreclosure, and the minimum core the constitutional floor beneath which becoming cannot begin. Ubuntu is the foundation; the rest are the shapes it takes, in ontology, in ethics, and in law.

The doctrinal argument turns on an asymmetry. Section 27(1)(b) qualifies access to sufficient food by progressive realisation and available resources; section 28(1)(c), the child's right to basic nutrition, carries no such qualification, and *S v M* read it as emphatic and self-standing. The Constitution thus recognises, for the child, a threshold below which the self cannot form — the trace of a relational minimum core, declined in *Grootboom* and *Treatment Action Campaign*.

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Three judgments have begun to supply what was withheld: Equal Education (2020), refusing the withdrawal of the school feeding scheme; Institute for Economic Justice (2025), pegging the qualifying income threshold to the food poverty line, now on appeal to the SCA; and the KwaZulu-Natal High Court's recognition, in June 2026, of a right to early childhood development, with a supervised duty to fund community crèches and their nutrition.

Read relationally, the right to food converts from a reasonable programme into a minimum owed, with content: the school meal may not be withheld, the grant must be pegged to the food poverty line, and the early childhood subsidy and its nutrition is a constitutional duty. Flourishing is not a soft aspiration above the law but the measure that hardens these duties into a threshold.

Keywords: hunger; right to food; flourishing denied; ubuntu; indigenous jurisprudence; relational constitutionalism; minimum core; socio-economic rights

The Right to Food under the Zambian Constitution: Towards a Rights-Based Framework for Food Sovereignty.

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Food insecurity has remained a persistent challenge in Zambia despite the agricultural potential that the country has. Food security and sustainable livelihoods continue to be undermined by factors such as climate change, recurrent droughts, unequal access to productive resources, weak governance as well as rural poverty. Although Zambia is a party to international human rights instruments that recognise the right to adequate food, its Constitution does not expressly guarantee this right. This leaves food security largely dependent on policy rather than on enforceable constitutional obligations. This paper examines whether Zambia's constitutional and legal framework adequately protects the right to food. The paper explores how a rights-based approach to food sovereignty can advance constitutional transformation and substantive equality. It asks: To what extent does the Zambian constitutional framework facilitate the realisation of the right to food and what reforms are necessary to embed food sovereignty within constitutional governance? The study adopts a qualitative doctrinal methodology complemented by comparative constitutional analysis. It analyses the Constitution of Zambia, relevant legislation, national food security and agricultural policies, judicial decisions as well as international and regional human rights instruments. The paper draws comparative insights from jurisdictions such as Kenya and South Africa, whose constitutional and judicial approaches to the right to food provide useful models for evaluating Zambia's constitutional framework. These jurisdictions are selected because they represent different constitutional traditions while sharing comparable socio-economic and agricultural challenges within the African context. The study finds that Zambia's constitutional framework only provides indirect protection for food-related interests and lacks an explicit justiciable right to food. Consequently, individuals and communities cannot directly invoke a constitutional right to challenge the failures of the state that relate to hunger or food insecurity. The absence of an express constitutional guarantee also weakens judicial oversight and reduces governmental accountability in the formulation and implementation of food security policies. This limits the enforcement of socio-economic obligations that are essential for food sovereignty. The findings further demonstrate that the constitutional recognition of the right to food when combined with participatory governance and equitable access to productive resources would strengthen the resilience to climate-related food insecurity and promote substantive equality. The paper concludes that the constitutional recognition of the right to food would establish enforceable constitutional obligations and strengthen institutional accountability. Therefore, this recognition must be an integral part of Zambia's constitutional reform. To guide this process, the paper proposes a rights-based framework for food sovereignty that advances social justice.

Recidivism as a Social Justice Failure: Exploring Restorative and Redistributive Pathways to Correctional Reform in South Africa.

Palesa Pitso

IIE Emeris NMB

South Africa's constitutional order is founded on human dignity, equality and social justice, yet the persistent occurrence of recidivism raises questions about the extent to which these commitments are realised within the correctional system. Therefore, persistent reoffending should not be understood solely as a failure of individual rehabilitation or punishment, but also as an indicator of shortcomings in the realisation of South Africa's broader constitutional social justice project. This paper conceptualises correctional institutions as constitutional spaces in which the State's obligations to promote dignity, equality, rehabilitation and meaningful social reintegration must be realised.

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The paper adopts transformative constitutionalism as its primary legal lens, through which it evaluates whether South Africa's correctional framework addresses the structural conditions that undermine successful rehabilitation and reintegration. Ubuntu and restorative justice are employed as complementary normative frameworks that challenge predominantly punitive and individualised approaches to criminal justice by emphasising human interconnectedness, accountability, restoration and community reintegration. Redistributive justice provides a further structural dimension by directing attention to poverty, unemployment, educational disadvantage and socio-economic exclusion that may contribute to persistent cycles of offending and reoffending. In this respect, the integration of Ubuntu and restorative justice constitutes a decolonial intervention by reconsidering correctional justice through relational and community-centred conceptions of responsibility and restoration.

Employing a doctrinal and interdisciplinary qualitative methodology, the paper examines whether existing correctional policy, rehabilitation programmes and reintegration strategies adequately address these constitutional and social justice dimensions. It argues that rehabilitation cannot be considered complete where individuals are released into the same structural conditions that undermine their capacity to reintegrate. The paper contributes to debates on correctional reform by reconceptualising recidivism as an indicator of the extent to which constitutional commitments to substantive equality, dignity and social reintegration are realised within South Africa's correctional system.

Rather than offering a prescriptive model for correctional reform, this paper seeks to provoke a broader conversation about whether recidivism can be meaningfully separated from the social conditions in which offending and reoffending occur. It argues that persistent reoffending should prompt critical reflection on the relationship between criminal justice, structural inequality and the constitutional promise of substantive social justice. Through the complementary perspectives of restorative justice, Ubuntu, redistributive justice and transformative constitutionalism, the paper invites a reconsideration of whether rehabilitation can succeed where the structural conditions surrounding individuals remain largely unchanged.

PARALLEL SESSION II: DECOLONIALITY, CONSTITUTIONAL FUTURES AND EPISTEMIC JUSTICE

The Political Economy of the Food System in South Africa: Historical Injustices of Corporate Power, Private Law and Ubuntu

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Post apartheid South Africa promised transformation with the goal of achieving equality and dignity for all and yet remains a highly unequal society. This is despite the fact that the country has adopted transformative constitutionalism in its law, even reintroducing the philosophical concept of Ubuntu in case law, acknowledging it as an interpretative tool in private law. Ubuntu continues to feature across many policy documents in the country and is also expressed in the King Code of Good Corporate Governance (King V).¹ However, Ubuntu's relational principles (which were displaced during colonisation and reintroduced after democracy) remain confined to act as corrective, interpretative tools rather than being allowed to reshape power relations.

Using food as a site to discuss coloniality and epistemic justice, this research argues that South Africa's food system is structurally unjust and rooted in colonial capitalism, ² supported by Euromodern legal epistemologies as demonstrated through private law. Literature shows that political economy research [on South Africa's] agro-food system reveals dense networks of corporate power structured through global and domestic value chains.³ This corporate power represents a legal architecture grounded in Euro-modern understandings of legal personhood and private ownership, that law traditionally treats as voluntary and neutral. In order to dismantle this unjust, highly concentrated corporate food system, we need to reconceptualise or unsettle these established Euromodern legal epistemologies of legal personhood and ownership, as a private law and constitutional problem, in order to move towards realising food justice. The question is therefore, how does the corporate legal person entrench racialised power along the food value chain, through euro-modern legal understandings of personhood and ownership, and how should these be reconceptualised through Ubuntu?

Hence, this research, aims to demonstrate, through a Law and Political Economy perspective, how the legal concept of the company hides relations of production, congeals property relations and from a decolonial perspective, how the Euro-modern legal framework of the corporate food system constitutes an epistemicide of indigenous agricultural

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practices. This research aims to contribute to discussions around decolonising food systems through private law and will challenge the Euromodern legal epistemologies of this legal architecture through African indigenous knowledge systems. It will study Ubuntu's emancipatory potential, in reconceptualising the legal person and ownership along the food value chain.

Erasure by Design: The Colonial Succession Doctrine, Demographic Capture and the Constitutional Non-Recognition of Khoisan Prior Claim in Post-Apartheid South Africa

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In 1863, Louis Anthing, Resident Magistrate for Namaqualand, reported to the Cape Legislative Assembly on what he called "the systematic destruction of a race of men." The colonial state did not refuse his plea for land and legal protection for the surviving !Xam San of the Upper Karoo — it simply declined to consider it worth the trouble. This memorandum argues that the same structure of indifference is now constitutional. Section 25(7) of the 1996 Constitution confines statutory land restitution to disposessions occurring on or after 19 June 1913, placing the foundational dispossession of San and Khoikhoi peoples — which occurred across the seventeenth to nineteenth centuries — permanently outside the reach of the only operative restitution mechanism in South African law.

This paper advances three original doctrinal instruments to challenge that settlement: the Colonial Succession Doctrine, which argues that a successor state inherits not only colonial assets and boundaries but the unresolved obligations those boundaries enclosed; Demographic Capture, which names the administrative absorption of distinct San and Khoikhoi peoples into the composite "Coloured" category as a mechanism of legal erasure actionable under ICERD; and the Jurisprudence of Arbitrary Fiat, which contrasts the state's three-day creation of the Ingonyama Trust in April 1994 with its structural refusal to create any equivalent mechanism for a people whose documented territorial and genetic continuity exceeds nine thousand years.

The argument is grounded in peer-reviewed genomic, archaeological, and linguistic evidence, read alongside Richtersveld's extinguishment doctrine and South Africa's own pleadings before the ICJ, and is tested throughout against its strongest available counter-arguments, including the genuine and unresolved question of standing. The paper contends that the constitutional non-recognition of Khoisan prior claim is not an oversight awaiting correction, but a reproducible legal choice — and therefore a reversible one.

Decolonising Responsibility in International Criminal Law: A Global South Critique of the Liberal Legal Subject

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Colonialism not only produced economic inequality but also entrenched enduring legal and epistemic hierarchies. One consequence is that many national and international legal institutions continue to operate through concepts developed within European liberal thought while presenting them as universal. International criminal law (ICL) is one such institution. Although ICL aspires to universal justice, its normative foundations continue to reflect assumptions that emerged within a particular historical and philosophical tradition. This raises important questions about the capacity of ICL to respond to the historical and structural forms of violence that continue to shape postcolonial societies in the Global South.

Existing scholarship has demonstrated that ICL is marked by selectivity, political inequality and uneven enforcement. While these critiques have exposed the unequal application of international criminal law, less attention has been paid to the conceptual architecture through which these limitations are reproduced. This paper argues that these limitations are rooted in ICL's understanding of responsibility, harm and justice, which remains organised around the liberal legal subject. Within this framework, responsibility is primarily understood in terms of autonomous individuals, intentional wrongdoing and individual criminal culpability. Harm is consequently recognised as discrete, attributable and event-based, while justice is largely conceived in punitive terms through criminal prosecution and punishment. These concepts have become central organising principles of international criminal law and are frequently presented as universally applicable.

However, many forms of violence that continue to shape the lived realities of the Global South—including colonial dispossession, structural violence, extractive political economies, environmental destruction, collective harms and historical injustice—do not fit comfortably within these categories. Rather than being isolated events attributable to individual perpetrators, such harms are cumulative, relational, collective and historically constituted. As a result, international criminal law often recognises only a fraction of the violence experienced in postcolonial societies while

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rendering other forms of injustice legally peripheral or invisible.

The paper argues that decolonising international criminal law requires more than expanding jurisdiction or prosecuting additional actors. It requires rethinking the normative assumptions that organise responsibility, harm and justice from a Global South perspective. In doing so, the paper contributes to broader debates on decoloniality, epistemic justice and legal pluralism by demonstrating how the conceptual foundations of international criminal law continue to reproduce colonial hierarchies while claiming universality.

PARALLEL SESSION III: INDIGENOUS SYSTEMS, GOVERNANCE AND LEGAL PLURALISM

Indigenous Peace Infrastructures and Transformative Governance in Nigeria

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The article explores the nexus between indigenous peace infrastructures and transformative governance and social justice in Nigeria. While Nigeria has had formal democratic institutions and constitutional structures since 1999, many communities still suffer from insecurity, social exclusion, governance deficits, and restricted access to justice. Meanwhile, indigenous institutions (such as traditional rulers, councils of elders, religious leaders, youth association, women's groups and community-based conflict-resolution forums) continue to play important roles in governance and peacebuilding.

The article is based on a decolonial and transformative governance approach. It explores the role of indigenous peace infrastructures in preventing conflict, resolving disputes, promoting reconciliation, strengthening social cohesion and fostering restorative justice. Empirically, it is based on qualitative evidence from Yoruba ethnic communities in Southwestern Nigeria and on document analysis of historical lived experiences. The analysis focuses on how community-based institutions resolve conflicts, call for community responsibility, create a forum for dialogue, and address governance and justice issues that formal institutions do not tackle.

The article investigates and identifies issues of gender inclusion, institutional legitimacy, and constitutional recognition as key to transformative governance. It particularly enquires about who constitutes the voice and interests of indigenous actors within indigenous institutions, how their authority is created and challenged, and how indigenous institutions relate to the formal constitutional and legal order in Nigeria.

The article contends that a sense of recognition, democratisation, and the meaningful integration of indigenous practices into formal governance can help empower indigenous peace infrastructure to reinforce inclusive governance and social justice while maintaining community autonomy. It therefore reflects the issues of accountability, gender equality, legitimacy, and legal pluralism, and explores the potential of indigenous governance processes to influence more inclusive constitutional and development processes. The article brings indigenous peace infrastructures into the broader conversation about decoloniality, transformative constitutionalism, legal pluralism, and sustainable peace in Nigeria and the Global South, positioning them as significant sites of governance and peacebuilding.

KEYWORDS: *Indigenous peace infrastructures; transformative governance; social justice; decoloniality; Yoruba ethnic*

Beyond Ukeje: Women's Participation, Customary Land Governance and Food Sovereignty in Nigeria

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Nigeria's rural land order is neither wholly statutory nor wholly customary. State-issued tenure, local-government authority and customary norms shape who accesses agricultural land, who participates in land decisions and who benefits from production. For rural women dependent on food-producing land, exclusion reinforces livelihood insecurity and unequal control over resources. Yet legal debate commonly presents a false choice: constitutional equality requires the displacement of customary authority, or decolonial recognition requires deference to it. This paper rejects both positions.

Using doctrinal analysis of Nigeria's constitutional equality framework, land law and Igbo customary-law and inheritance materials, the paper examines women's participation in customary decisions concerning food-producing land. It takes *Ukeje v Ukeje* as an important but incomplete starting point. The decision invalidates a discriminatory inheritance rule, but does not resolve women's claims to land use, cultivation and representation, or compensation and remedies

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when customary decisions affect agricultural livelihoods. These omissions have social justice consequences because exclusion from land governance affects not only property rights, but also livelihood security, economic agency, community voice and access to productive resources. Food sovereignty is therefore not reducible to food availability; it concerns authority over land, knowledge and institutional processes through which food systems are organised. The paper develops an account of "constitutional conditions of recognition." Its central claim is that the state should not treat customary land decisions as purely private cultural matters once public authorities register, enforce, allocate, adjudicate or rely upon them. At those points, constitutional equality should require safeguards: meaningful participation by affected women land users; transparent and reasoned decisions; protection of use and benefit interests alongside inheritance claims; and accessible mechanisms for internal reconsideration and external review. These safeguards address procedural exclusion and its distributive effects without absorbing customary governance into state bureaucracy.

A comparison with South Africa, centred on the Constitutional Court's treatment of living customary law in *Shilubana v Nwamitwa*, serves as a cautionary reference rather than a transplantable model. The paper argues that a decolonial legal-pluralist approach is credible only when communities retain capacity to develop their norms while women affected by customary land governance are authors of those norms, not merely their subjects. Participation thus becomes a constitutional safeguard and a social justice imperative, linking equality in land governance to livelihood security and accountable, food-sovereign rural governance in Nigeria.

Keywords: Customary land governance; Women's land rights; Food sovereignty; Legal pluralism; Decoloniality

Time to Change the Political Map: How the ETIs in Colombia came to be and its importance for constitutional/indigenous governance.

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In 2025 the Colombian government officialise the creation of 8 "ETIs" (Indigenous Territorial Entities) almost all of them in the Amazon. By doing this, signalling the success of decades of claims and activism against centuries of disruption over a traditional knowledge-based governance from thousands of years of the indigenous communities in what is today Colombia. The Colombian Political map has officially change. Now, alongside the 32 departments (provinces in South Africa) there are 8 ETIs.

However, the materialisation of the ETIs has been a promise that has been over 40 years in the making. The 1991 Constitution is the sole reason this is possible, as Article 229 and 230 recognises the autonomous and ancestral nature of indigenous territories. For decades, the ETIs were little more than 'values' enshrined in the Constitution that were never legislated for or institutionalised. Faced with this complete legislative omission, legal activism persuaded the executive to intervene on an exceptional basis and fostered corrective case law from the Constitutional Court to provide the institutional foundations for the establishment of the ETIs. For this reason, this research will analyse how the belated process of consolidating Indigenous Territorial Entities in Colombia highlights the structural limitations of hegemonic liberal multiculturalism, and which mechanisms enabled progress towards the materialisation of these entities?

The research is based on three pillars of analysis: Firstly, the relevance of the ETIs to what Sousa Santos calls the 'Epistemologies of the South' as a framework for critical analysis, which includes concepts such as 'the sociology of absences' and 'the sociology of emergencies' to underpin the decolonial nature of the study. Secondly, the method of static and dynamic jurisprudential analysis is employed to trace the evolution of the Constitutional Court's ratio decidendi. This will demonstrate the debates and tensions between new municipalities and autonomous entities, the handling of legal discrepancies regarding gender equality, and how the ordinary and ancestral justice systems coexist within a framework of jurisdictional reciprocity, thereby enabling inter-legality and critical interculturality. Finally, an analysis of public policy and executive-administrative matters will assess the regulatory and bureaucratic transition towards fiscal, operational and administrative consolidation within the territories, and between the territories and the Colombian State as two equal actors. Here, the 'Life Plans' play a fundamental role, not only as a link between two distinct political and legal systems, but also as tangible evidence of historical justice, de facto sovereignty, and alternatives for ancestral autonomy and consolidation with the ordinary political-legal systems.

Cartographic Legibility and the Constitutional Betrayal of Living Customary Land Rights

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South African courts and legislators have repeatedly affirmed that living customary law is an independent,

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constitutionally protected source of law, yet the administrative and judicial mechanisms available for recognising customary land rights continue to demand that those rights be rendered onto a map before they will be treated as secure. This article argues that this cartographic imperative is not a neutral technical requirement but a continuation of the colonial epistemology of property that the Constitution was designed to displace. Drawing on James Scott's account of state legibility, beginning with *Alexkor Ltd v Richtersveld Community* and running through *Baleni v Minister of Mineral Resources to Council for the Advancement of the South African Constitution v Ingonyama Trust*, and on the empirical land-tenure scholarship, the article shows how mapping converts relational, negotiated, and layered rights into bounded, individuated parcels that customary tenure was never organised to produce. It concludes that constitutional recognition of living customary land rights should be decoupled from cartographic proof, and that alternative, non-spatial forms of evidence, consistent with the way rights are actually held and defended in practice, offer a more promising route to the security of tenure that section 25(6) of the Constitution promises.

Exploring the Role of African Contemporary Dance in Addressing Social Ills: UkuThwalwa in South Africa

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This article examines Ingcwaba Lomfazi Lise Mzini (*A Woman's Grave Is at Her Marital Home*), an African contemporary dance theatre production that critiques the continued practice of ukuthwalwa (marriage by "abduction") in South Africa. Situated within the fields of African contemporary dance and performance studies, the article explores how choreography functions as a form of political commentary capable of interrogating social practices, cultural norms, and systems of power. Through embodied storytelling, the production exposes the intersections of gender-based violence, patriarchy, intergenerational authority, and rural-urban tensions that sustain the practice of ukuthwalwa despite constitutional protections of women's and children's rights. Drawing on close performance analysis, the study examines the production through three interconnected agents of meaning-making: the choreographer as political commentator, the dancer as embodied storyteller and witness, and the audience as critical interpreter. The article argues that these agents collectively construct a choreographic discourse that challenges dominant cultural narratives surrounding ukuthwalwa and foregrounds the experiences of young women subjected to the practice. Through its fusion of indigenous African movement vocabularies, contemporary dance techniques, theatrical symbolism, and narrative dramaturgy, Ingcwaba Lomfazi Lise Mzini demonstrates how African contemporary dance mobilises the body as a site of resistance, remembrance, and critique.

The article contributes to scholarship on African contemporary dance by positioning choreography as a mode of embodied activism that extends beyond aesthetic expression to engage directly with contemporary social and political concerns. It contends that African contemporary dance serves not only as a creolised artistic form but also as a powerful medium for public education, social reflection, and cultural dissent. Through its analysis of Ingcwaba Lomfazi Lise Mzini, the study highlights the capacity of dance theatre to generate critical dialogue on gender justice and to challenge harmful cultural practices within contemporary South African society.

Keywords: African contemporary dance; dance theatre; ukuthwalwa; political commentary; gender-based violence; choreography; South Africa.

PARALLEL SESSION IV: FOOD SOVEREIGNTY, FOOD JUSTICE AND SUSTAINABLE DEVELOPMENT

Seeing hunger again: recovering moral urgency in food insecurity discourse.

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Despite sustained constitutional commitments, international developmental agendas, and decades of interventions, food insecurity and hunger remains a persistent challenge for many people across the Global South. While existing scholarship attributes this challenge to failures in governance, policy implementation, agricultural production, and resource distribution, considerably less attention has been given to the ways in which food insecurity has become socially and morally normalized. Considering this, this paper argues that one of the greatest barriers to addressing food insecurity is the gradual erosion of society's capacity and concern to engage food insecurity and persistent hunger as

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an urgent moral crisis. As food security becomes increasingly familiar, it undergoes a process whereby an inhumane injustice is transformed into an ordinary condition of social life, where people search for different explanations to rationalize, normalize, and ignore the existence of food insecurity in society.

This paper employs a qualitative desktop that draws on phenomenological methods to examine how food security is situated within public consciousness and how repeated exposure to food insecurity and chronic hunger reshapes collective perceptions of urgency, responsibility, justice, and human rights. The source base consists of interdisciplinary literature related to food sovereignty and insecurity, social justice, decoloniality, ubuntu, cultural hegemony, and human rights. The phenomenological methods are utilized to examine how food security is perceived, interpreted, and determined meaningful within public consciousness, and how frequent exposure to severe food insecurity transforms a gross injustice into an ordinary condition of society. This paper also applies the concept of cultural hegemony to provide an explanatory framework for how dominant political, economic, and cultural discourse shape the rationalization and toleration of food insecurity. As such, this paper engages food insecurity as a crisis of moral degeneration where vulnerable communities are gradually ignored by public consciousness despite the visibly apparent challenges associated with food insecurity.

This argument has implications for the government and related organizations by suggesting that when food insecurity is normalized, constitutional and human rights commitments, to the risk and addressal of food insecurity, become aspirational rather than obligations requiring immediate transparency, accountability, implementation, and sustained public scrutiny. The implications further extend to reduced social pressure on relevant government departments and a weakened demand for implementation. In this sense, the recovery of moral urgency is not presented as an alternative to legal and constitutional responsibility but as a condition for ensuring the meaningful implementation of existing legal and constitutional obligations. Considering the above, this paper is deeply rooted within decolonial understandings of social justice as it questions political, economic and epistemic factors that have historically shaped unequal access to land, resources, and autonomy within the global south. Furthermore, this paper utilizes ubuntu and indigenous understandings of hunger to challenge societal interpretations of food insecurity by situation human well-being and flourishing within mutualistic relationships and collective responsibility. In this sense, food insecurity is not merely an individual struggle but a reflection of the failures of social institutions, legal systems, and government processes, toward fulfilling their obligations toward members of society.

With phenomenology and cultural hegemony engaging with decoloniality, ubuntu, social justice, and constitutional responsibility, this paper reframes food insecurity as a material crisis and a crisis of recognition. Through its interpretive analysis, this paper explores how dominant narratives shape public understandings of food insecurity and hunger – and how these contribute to its normalization within the Global South. This paper argues that addressing food insecurity first requires the recovery of a sense of moral urgency through a reconstruction of how hunger is perceived, recognized, and understood within society. By reframing food insecurity as a crisis of recognition, this study contributes to alternative ways for understanding food justice, and the reimagining of constitutional reform, decoloniality, sustainable development, and justice in the Global South.

Keywords: Global south, food insecurity, food justice, moral urgency, social justice

Reframing the Child's Right to Basic Nutrition Through Healthy Food Environments in South Africa

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South Africa faces a severe and multidimensional child-nutrition challenge, in which hunger and undernutrition coexist with childhood overweight and diet-related health risks. Although section 28(1)(c) of the Constitution guarantees every child the right to basic nutrition, legal and policy responses have largely focused on household support, emergency food assistance and school feeding. This approach does not adequately account for the unequal environments in which food is produced, distributed, priced and promoted. Those inequalities have historical foundations. Colonial and apartheid dispossession restricted Black communities' access to productive land, disrupted indigenous systems of food production and marginalised indigenous food knowledge. Apartheid spatial planning further entrenched unequal access to markets, public services and affordable nutritious food. These legacies continue to shape contemporary food environments and are reinforced by concentrated commercial control over food production, retail and marketing.

This paper examines the scope of the child's right to basic nutrition and asks whether section 28(1)(c) requires the state

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to address these structural conditions. It places the right within the broader constitutional protection of substantive equality, children's best interests and the state's duty to respect, protect, promote and fulfil the rights in the Bill of Rights. The analysis also draws on relevant South African socio-economic rights jurisprudence, the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child – which place an obligation on States to assist parents in fulfilling their responsibility towards children with regards to nutrition and health, among others. Together with the notion of parental responsibility, the African philosophy of ubuntu also informs the paper's original concern. Its relational understanding of responsibility recognises that children's nutrition is shaped not only by decisions made within households, but also by the social, commercial and institutional conditions within which those decisions are made. The paper argues that the constitutional meaning of basic nutrition cannot be confined to the provision of sufficient food alone. It must also consider whether children can access food of adequate nutritional quality within the communities and institutions in which they live. A decolonial perspective strengthens this interpretation by locating present inequalities within the legal, spatial and economic arrangements that produced them. It also requires the constitutional enquiry to recognise the displacement of indigenous food systems and the continuing exclusion of local knowledge from food policy. Food sovereignty is relevant to the response because it directs attention to who participates in decisions about food production and distribution, whose knowledge is valued and whether local and indigenous producers are supported.

The paper therefore argues that the state's duty extends beyond responding to hunger after it occurs. The duty includes measures within the state's regulatory, procurement, education, agricultural and planning powers. The paper advances a child-centred interpretation of section 28(1)(c) that connects immediate nutritional need to the historical and structural conditions that determine whether adequate nutrition is accessible in practice.

Keywords: children's rights; basic nutrition; healthy food environments; decoloniality; food sovereignty; Ubuntu; indigenous food systems; substantive equality

PARALLEL SESSION V: GOVERNANCE, INSTITUTIONAL ACCOUNTABILITY AND TRANSFORMATIVE DEVELOPMENT

The Governance of Absence: Institutional Accountability, Governance Failure and Substantive Equality in Africa's Urban Food Systems

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The legitimacy of governance rests on two claims: that it delivers on its stated objectives and that it operates through processes regarded as fair by those it governs. Across Africa, food governance frameworks make both claims while systematically excluding the actors who feed most of the continent's urban population. As Africa urbanises rapidly, food governance remains rooted in institutions and policy frameworks designed for predominantly rural societies, creating a persistent rural bias that inadequately addresses urban food insecurity.

This urban focus is urgent. More than 68% of food-insecure Africans live in urban and peri-urban areas, while 63% of South African households experience some form of food insecurity. Although South Africa's Constitution guarantees the right to food, and 48 African states have ratified the International Covenant on Economic, Social and Cultural Rights, which affirms this right, implementation failures, systemic inequality, and fragmented governance responses have undermined these commitments. The resulting gap between normative promises and lived realities is particularly visible in African cities.

We argue that this governance failure is shaped by enduring colonial legacies. The first is a continuing emphasis on agricultural production that reflects colonial systems designed to prioritise cash crops and support extractive economies, often at the expense of diverse and climate-sensitive indigenous (and culturally robust) food systems. The second is an enduring urban planning paradigm rooted in colonial spatial governance. This legacy continues to shape how cities are governed and contributes to the marginalisation of informal food actors. Yet approximately 85% of Africa's food moves through micro, small, and medium enterprises, most of which operate informally, while the informal economy accounts for over 84% of employment. Despite their centrality, these actors remain largely invisible within

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formal governance frameworks.

To explain this contradiction, we introduce the concept of the "governance of absence", which captures how institutions claiming to promote equitable and just food systems fail to recognise, represent, and support the people they serve. This raises a critical question often neglected by accountability regimes: accountability to whom?

We show that existing accountability mechanisms share a structural weakness. They prioritise what is easily measured rather than what matters to food-insecure populations, reinforcing upward accountability to institutions, donors, and governments rather than downward accountability to citizens. These mechanisms also assume a predominantly formal institutional landscape, rendering informal food systems and their actors effectively illegible. The consequence is a governance failure that normalises hunger as a durable and intergenerational form of structural inequality, leaving commitments to substantive equality unrealised.

Methodologically, the paper employs a critical interpretive synthesis to examine the legitimacy deficits embedded in food governance frameworks. This approach interrogates the assumptions, framings, and exclusions underpinning both academic and policy discourses. The analysis is further informed by the authors' combined three decades of participation in, and engagement with, food systems governance processes across Africa.

We argue that the central failure of food systems governance lies in its inability to recognise Africa's urban transition and adapt governance strategies accordingly. Responsibility extends beyond the state to include civil society, non-state actors, the media, and broader public attitudes toward hunger and the urban poor.

The paper concludes by proposing three governance innovations: recognising informal food system actors as legitimate participants and knowledge holders; reconceptualising accountability through Ubuntu as relational and reciprocal rather than transactional and upward-facing; and adopting "stretch collaboration" approaches that engage conflict and difference rather than seek performative consensus. Together, these shifts reconfigure who counts as a governance actor and to whom governance should ultimately be accountable.

Rewriting Reality: The Gender Accountability Deficit in Artificial Intelligence Governance.

Amber Randall

LLB, LLM, LLD Candidate, Admitted Attorney, Departmental Assistant in Private Law, Stellenbosch University

Artificial intelligence ("AI") systems including large language models ("LLMs") used in generative artificial intelligence are built on particular data, assumptions and forms of knowledge, and these foundations are not always neutral. Artificial intelligence forms part of the decision-making systems that operate within employment, healthcare, education and access to information. More recently, international governance frameworks are being developed as these systems reproduce existing gender inequalities. This paper focuses on LLMs and the gendered and intersectional biases that can arise from their training data and outputs. United Nations Women reported in June 2026 that 44 per cent of 133 AI systems showed gender bias while only 24 of 138 countries referenced gender in their national AI strategies, and that women comprise just 30 per cent of the global AI workforce. The report says that "women are being locked out of the rooms where AI is built". A 2024 study by the United Nations Educational, Scientific and Cultural Organisation ("UNESCO") and the International Research Centre on Artificial Intelligence ("IRCAI") found that LLMs described women in domestic roles up to four times more often than men, generated overtly sexist responses in approximately one-fifth of prompts relating to women, and portrayed Zulu women in the role of domestic workers in approximately one fifth of generated texts. These results suggest that LLMs can reflect existing patterns of structural inequality that intersects with race, geography and class.

The findings further raise a specific question about whose knowledge and whose social reality is represented in the data and design of an AI system, and whose experiences are marginalised or overlooked in the process. LLMs learn from enormous amounts of text. That text is not evenly spread across languages and does not give equal weight to each relevant topic. The question becomes whose lived experiences are considered representative enough to train the technologies increasingly relied upon around the world. Looking at Stellenbosch University's guidance on the use of AI, the policy states that "Generative AI tools can reproduce the biases present in their training data, which may result in outputs that reflect gender bias, stereotypes, or the overrepresentation of foreign (especially AngloAmerican) legal perspectives." If legal education treats generative AI as a source of epistemic distortion serious enough to warrant such a warning, the same caution should inform the international instruments governing the technology.

Kimberle Crenshaw's principle of intersectionality provides the framework through which this question is examined. The Zulu example raises the possibility that women who are situated along racial, linguistic and class lines may experience these forms of bias differently. The same reasoning as recognised in the Constitutional Court case of *Mahlangu v*

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Minister of Labour [2020] ZACC 24 is relevant, where the exclusion of domestic workers from compensation legislation could not be explained by race or gender alone.

These systems are overwhelmingly developed and deployed by powerful private actors, which raises a distinct constitutional question. Section 8(2) of the Constitution applies the Bill of Rights horizontally to private conduct, and Section 9(4) specifically requires national legislation to prevent private unfair discrimination. The constitutional basis on which the Promotion of Equality and Prevention of Unfair Discrimination Act was enacted. This paper asks whether that horizontal equality framework can reach an AI developer or deployer as a private duty-bearer, and where a discriminatory output results from decisions distributed across a developer or deployer, and a state regulator, who can be held legally accountable.

Although instruments exist which recognise equality and non-discrimination as guiding principles, their soft law nature limits tangible obligations addressing the structural and intersectional forms of gender bias identified by recent United Nations research. Responsibility for implementation, monitoring and enforcement is largely with individual states, creating an accountability issue between international standards and the practical governance of artificial intelligence. At the domestic level, one instrument that does bind private actors, the Promotion of Equality and Prevention of Unfair Discrimination Act, has never been tested against a distributed, multi-actor technology of this kind.

This paper proposes closing the gap between principle and practice by extending the equality clause already available under section 9(4) of the Constitution to require disaggregated bias-auditing, using UNESCO's own Ethical Impact Assessment methodology of LLMs and other generative AI systems deployed in South Africa, with responsibility apportioned between developer and deployer according to their respective control over the data and design decisions at issue.

Keywords: artificial intelligence; algorithmic bias; gender equality; digital platforms; structural inequality; substantive equality; intersectionality

An abstract ON Climate governance in SA

Britta Rennkamp, Angela van der Berg, Nerhene Davis, Gordon Ikbogwe, ina Ziervogel Researchers

African Climate and Development Initiative: UCT

Climate governance in South Africa co-evolved alongside both the international climate governance regime under the United Nations and the first South African democratic state in the early 1990s. Under the first democratically elected government, climate governance developed with the country's democratisation and reintegration into the global system under a strong political agenda of human rights, sustainability and multilateralism.

This paper presents an analysis of coordination and alignment of climate governance within the wider political system of the state powers in the executive, legislative, and judiciary, as well as multilevel governance across societal subsystems over the past three decades. The analysis identifies seven coordination challenges among actors, with explicit and implicit relevance to climate governance, across societal subsystems and traditional authorities.

The findings show climate governance predominantly centres at the national level in the executive, with limited legislative power and judicial enforcement of constitutional environmental rights. Similarly, vertical integration between national and sub-national levels is limited, whereas national-totransnational integration is relatively stronger. Further centres of decision-making outside the formal structures concentrate power within the politics between individuals in political parties and state relations with corporate actors. The findings show that the centres of decision-making in climate policy continue to focus on the corporate -governmental nexus at the centre of the executive. The findings are discussed in relation to the constitutional environmental rights in Article 24 of the Bill of Rights, framed within the context of climate justice. Executive, legislative, and judicial functions require closer coordination to further strengthen national climate policy, to support means for implementation and enforcement through domestic efforts, and to prevent further fossil fuel development from undermining the vision of reducing poverty and inequality through socially just low-carbon and climate-resilient development.

PARALLEL SESSION VI: RESTORATIVE AND REDISTRIBUTIVE PATHWAYS TO SOCIAL JUSTICE

Social Disorganisation Theory and Ubuntu Philosophy: Towards a Decolonised Framework for Offender Reintegration in South Africa.

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Offender reintegration in South Africa continues to be challenged by the enduring effects of colonialism and apartheid, including spatial inequality, poverty, unemployment and weakened community institutions. While Social Disorganisation Theory explains how these structural conditions undermine social cohesion, collective efficacy and informal social control, it offers limited guidance on how communities can rebuild the relationships necessary for successful reintegration. This study critically examines the potential of Ubuntu philosophy as a decolonial framework for strengthening offender reintegration within historically marginalised communities. A systematic literature review was undertaken following the PRISMA 2020 guidelines. Peer-reviewed literature published between 2000 and 2026 was identified and synthesised using thematic analysis. The study found that Social Disorganisation Theory effectively explains the structural barriers to offender reintegration but is limited in addressing culturally grounded mechanisms for restoring community cohesion. In contrast, Ubuntu emphasises interconnectedness, collective responsibility, reconciliation and human dignity, offering principles that can strengthen informal social control and community participation in the reintegration process.

The findings suggest that integrating Ubuntu with Social Disorganisation Theory provides a more contextually relevant framework for understanding and addressing offender reintegration in post-apartheid South Africa. The study concludes that decolonising community corrections requires moving beyond Western explanatory models towards indigenous African philosophies that promote social justice, community resilience and sustainable reintegration. It recommends embedding Ubuntu principles within correctional policy and community-based reintegration programmes to strengthen social cohesion and reduce recidivism.

Keywords: *Social Disorganisation Theory; Ubuntu; offender reintegration; decolonisation; community corrections; social justice.*

Acquisition Without Recognition: Unlawful Occupiers, the Right to Housing, and the Limits of Redistribution in South African and Dutch Abandoned-Property Regimes.

Ané Theron

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Section 12(3)(c) of the Expropriation Act 13 of 2024 permits Expropriation with Nil Compensation, framed as a redistributive tool advancing substantive equality. This paper argues the provision instead functions as a state acquisition mechanism, and that its failure is a failure of recognition. Unlawful occupiers of abandoned urban buildings, disproportionately poor, racialised, migrant and female, and shaped by spatial exclusion, apartheid planning created and never dismantled, are structurally absent as parties to the expropriation process. Drawing on Nancy Fraser's account of redistribution and recognition as distinct claims of justice, the paper argues that transferring property to the state does not, on its own, resolve the occupier's exclusion from recognition as a participant in the decision that determines their housing future. Section 7(1)(a) lists the owner, mortgagee and holder of a right as parties entitled to notice. Occupiers appear nowhere in that list. This gap carries constitutional weight. Sections 25(5) and 26 of the Constitution entrench access to adequate housing and land as justiciable obligations on the state, and the Constitutional Court's recent Tafelberg judgment confirms that location and spatial redress are substantively relevant to that obligation, precisely because they correct the geography of apartheid dispossession. Its reasoning on meaningful engagement, building on Olivia Road, requires affected parties be treated as participants in decisions concerning them, not an audience informed after the fact. A provision omitting occupiers from notice and investigation cannot meet that standard: the constitutional failure is the denial of recognition that forecloses the participation ss 25(5) and 26 already demand. The comparison with Dutch law is chosen to sharpen this claim, not soften it. The Netherlands has no constitutional mandate for housing redistribution, and unlawful occupation has been criminalised there since 2010, with a 2022 law fast-tracking eviction to within 72 hours of judicial authorisation. Yet Dutch courts, applying the right to respect for the home under the European Convention, require a genuine proportionality review in every case and have developed the doctrine of unjustified vacancy: an owner seeking eviction must show a concrete, executable plan for the property once vacant. Where no such plan exists, courts treat eviction as an abuse of the owner's right to exclude and refuse to permit it, protecting the occupier not because of their own hardship, which has never on its own sufficed, but because the owner has failed to justify returning the building to a vacant state. If recognition is achievable there, without any constitutional command and inside a criminalised practice, its absence where

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South Africa's constitution demands redistribution is the sharper failure. The paper closes with a three-part framework: a test distinguishing genuine abandonment from ordinary neglect, a requirement that the state show a concrete plan for redistributive use rather than acquisition for its own sake, drawing directly on the Dutch owner's burden to justify vacancy, and a principle ensuring occupiers are left no worse housed than before. Together, these treat occupiers, owners, and the state as interests to be reconciled, not as obstacles to one another.

Keywords: expropriation; right of access to adequate housing; recognition; redistribution; substantive equality; unlawful occupation; meaningful engagement; comparative property law; Tafelberg judgment

Strengthening Access to Justice in Housing and Land Disputes Resolution for Indigents and Low-Income Communities through Ubuntu-Informed Mediation. A Comparative Action Research in Post-Colonial Nigeria and South Africa

Dr Banke Olagbegi-Oloba

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Humans live, thrive and survive on land; therefore, land is very important to every human especially for housing, food and commercial purposes. Due to need, population, the competitive nature of man, and inefficient ways of managing lands and housing by the government in communities and countries globally, land and housing related conflicts have now become a major concern in every community and country. Hence, the need for an efficient and most effective way to address the problem for growth, sustainable development, communal and global peace.

In Nigeria and South Africa, the vulnerable populations regularly experience barriers to justice in land and housing disputes unduly. Although litigation is robust doctrinally, it remains expensive, slow, cumbersome, adversarial, frustrating, procedurally complex and often inaccessible to everyone. Although mediation in addition to litigation operates in Nigeria and South Africa as dispute resolution mechanism, it has also proven to be inadequate. Some of the inadequacies of mediation include low level of intake or usage by the public, poor funding of institutionalised mediation programs, low level of stakeholders buy-in, power imbalance, deficient mediator neutrality, and weak mediator professionalism. These limitations in litigation and mediation therefore necessitate the need for better solutions such as Ubuntu-informed mediation, as a new normative framework that would adequately expand justice access for all, in land and housing disputes.

Ubuntu is an African philosophical principle and jurisprudential paradigm that appreciates the identity, dignity and respect, humanity and morality in people and places them in the web of relationships that sustain communities. Ubuntu-informed mediation integrates the core values and principles of Ubuntu such as respect, restorative justice, forgiveness, care, tolerance, honesty, hospitality, compassion, community consideration and empathy into mediation as a means of designing an efficient culturally sensitive dispute resolution model for the people. This research argues that when mediation is grounded in relational African normative frameworks, especially, Ubuntu, it offers stronger and more sustainable pathway for enhancing fairness, participation, and legitimacy in resolving lands and housing disputes.

Using a doctrinal and qualitative research approach, the research evaluates constitutional mandates, judicial approaches, and socio-legal realities, demonstrating how a context-sensitive mediation model can improve land and housing dispute resolution outcomes for indigents and low-income communities in South Africa, Nigeria and globally.

Key words: Access to Justice, Mediation, Land and Housing rights, Colonialism, Post-colonialism

SPEAKER PROFILES

**Mr Sello Hatang**

(Founder and Managing Director: Re Hata Mmoho)

He is the Founder and Managing Director of Re Hata Mmoho, an organization focused on fostering national dialogue and ethical leadership in South Africa. Previous held key roles at the South African Human Rights Commission and the South African History Archive, building a career rooted in justice, memory, and archival work.

**Mr Liam Gillesen**

(BAccLLB Law, EMS)

Liam Gillesen is a Social Justice Ambassador for the Centre for Social Justice as well as a Student Leadership Ambassador for the Fredrik Van Zyl Slabbert Institute. He is also a legal research officer for the Imbadu Group NGO which assists entrepreneurs in townships grow successful businesses.

**Mr Alu Njongi**

(Enrolled in the Diploma in Sustainable Development, EMS Faculty)

Alulutho Njongi is a student at Stellenbosch University currently enrolled in the Diploma in Sustainable Development. He is currently serving his last term as a House Committee member for Goldfields residence and as the Chairperson of UNASA's Climate Action and Sustainability subcommittee. Through the diploma and leadership roles, he has developed a passion for sustainability and social justice and learnt that different perspectives are crucial to sustainable development.

**Ms Elretha Vaax**

(LLB Law)

Elretha Vaax was born and raised in Cape Town and is a proud alumna of De Kuilen High School. She is currently a third-year Law student at Stellenbosch University. Passionate about community upliftment, social justice, and social development, Elretha is committed to creating meaningful change. She served as Secretary on the House Committee of Aristea Commuter Student Society at Stellenbosch University and serves as Social Justice Ambassador at the Centre for Social Justice. Her key areas of interest are in Multi-level Government law and Constitutional law.

**Prof Juanita Pienaar**

(Acting Dean: Stellenbosch University Law Faculty)

Juanita Pienaar is Professor in Stellenbosch University's Department of Private Law and an extraordinary professor at North-West University. She was the Faculty of Law's inaugural Vice-Dean of Research and Internationalisation and teaches Customary Law, Property Law and Advanced Property Law. Her research focuses on property law, particularly land reform, and culminated in her comprehensive publication Land Reform (Juta 2014), part of the Juta Property Law Library.

**Prof Sibusiso Moyo**

(Deputy Vice-Chancellor: Innovation, Research and Postgraduate Studies, Stellenbosch University)

Professor Sibusiso Moyo has served as Stellenbosch University's Deputy Vice-Chancellor for Research, Innovation and Postgraduate Studies since 2022. She holds a PhD in Mathematics and a master's in Tertiary Education Management. An experienced higher-education executive and published scholar in differential equations, she is a two-time recipient of the national EDHE leadership award for fostering entrepreneurship and is committed to advancing gender equality in STEM.

SPEAKER PROFILES

**Mr Nelson Muffuh**

(Head of United Nations South Africa and Resident Coordinator) Nelson Muffuh is an accomplished leader in international development and diplomacy, currently serving as the United Nations Resident Coordinator in South Africa since December 2022. In this capacity, he leads the UN Country Team in advancing the 2030 Agenda for Sustainable Development, fostering inclusive partnerships, and supporting the Government of South Africa in achieving national development priorities with a focus on equity, sustainability, and leaving no one behind.

**Madame Sana de Courcelles**

(The Head of the Global Coalition for Social Justice (GCSJ) Unit) Sana de Courcelles is a public governance and innovation specialist with more than 20 years' experience across the public and private sectors in France and international organisations in Geneva. She leads the Secretariat of the ILO's Global Coalition for Social Justice, which mobilises collective action to address social justice deficits and accelerate implementation of the 2030 Agenda, the Sustainable Development Goals and the Decent Work Agenda.

**Ms Basetsana Kumalo**

(Co-Chairperson, COSOC) Basetsana Kumalo is a Businesswoman, Author, and Philanthropist. Passionate about entrepreneurship, mentorship and women's development, she is building the next generation of leaders. In every industry she has entered, and on each platform, she has made an indelible impact on the lives of women in South Africa. She is currently completing her Thesis in Public Works – Doctor of Professional Studies (Transdisciplinary) through Middlesex University, London.

**Prof Dr Augustin Emane**

(Minister of Justice, Keeper of the Seals, and Minister of Human Rights, Gabon) Professor Augustin Emane is a Gabonese academic and jurist appointed Minister of Justice, Keeper of the Seals and Minister of Human Rights in January 2026. A Doctor of Law and HDR-qualified lecturer at Nantes University, he specialises in labour law and social protection. He has held fellowships in Berlin and at STIAS and authored *Albert Schweitzer, une icône africaine*. His ministerial priorities include judicial independence, human rights and anti-corruption.

**Prof Thuli Madonsela**

(Law Faculty Trust Chair, Professor of Social Justice and Director, Social Justice, Faculty of Law, Stellenbosch University) Thulisile Nomkhosi Madonsela is Director of the Centre for Social Justice at Stellenbosch University, where she holds the Law Trust Chair in Social Justice. She teaches Constitutional Law, Social Justice, Administrative Law, Constitutional Governance and Ethical Leadership. An advocate of the High Court of South Africa, she holds two law degrees, eight honorary law doctorates, a Harvard Advanced Leadership Certificate and other postgraduate qualifications.

**Dr Victoria Banke Olagbegi-Oloba**

(Postdoctoral Research Fellow, Centre for Social Justice, Faculty of Law, Stellenbosch University) Dr Victoria Banke Olagbegi-Oloba is a lawyer, researcher, mediator, arbitrator and Postdoctoral Research Fellow at Stellenbosch University's Centre for Social Justice. Her work focuses on access to justice, the rule of law, ADR, court-connected ADR, ubuntu-centred mediation and traditional dispute-resolution mechanisms. Her Stellenbosch PhD comparatively examined court-connected ADR and civil justice administration in Nigeria, South Africa and the United States. She publishes and presents nationally and internationally.

SPEAKER PROFILES

**Commissioner Philile Ntuli**

(Commissioner, Human Rights Commission)

Philile Ntuli is a full-time Commissioner of the South African Human Rights Commission (SAHRC), where her focal areas include land rights, food sovereignty, and the national preventive mechanism. She holds a Master's degree in Social Science from the University of Pretoria and has also graduated from the Thabo Mbeki African Leadership Institute.

**Ms Chriscy Blouws**

(Strategic Litigation Attorney, Women's Legal Centre)

A transformative social justice and human rights attorney, she brings 13 years of legal practice and more than 15 years in advocacy, activism and structural reform. Her work spans landmark litigation, organisational transformation and institutional design, advancing substantive equality for women and marginalised communities. She now advises organisations on safeguarding, diversity, equity and inclusion, governance and power dynamics, helping build ethical, safe, resilient systems across corporate, philanthropic and development sectors.

**Ms Thandile Ngxikwe**

(Post-Office to Parliament member and Social Scientist)

Thandile Ngxikwe has a passion and interest for social justice, social impact, and institutional transformation. She is part of Post-Office to Parliament, an Anti-GBV advocacy organisation and in partnership with the Uyinene Foundation in 2021, this organisation was founded. I have also been involved with other anti-GBV-related organisations and initiatives.

**Prof Somadoda Fikeni**

(Chairperson, Public Service Commission)

Professor Somadoda Fikeni is Chairperson of South Africa's Public Service Commission and the Indlulamithi South Africa Scenarios Board of Trustees. A political scientist, public intellectual and visiting professor at Nelson Mandela University, he specialises in public policy, development, political economy, history and heritage. He has held leadership roles across universities, policy institutions and public bodies, and is a respected commentator, author, speaker and community development activist committed to social justice.

**Prof J Jarpa Dawuni**

(Professor of Political Science, Howard University Washington, D.C.; Director, Institute for African Women in Law) Jarpa Dawuni is Professor of Political Science at Howard University and a Barrister-at-Law before Ghana's Superior Courts. She holds a PhD in Political Science from Georgia State University. Her research and advocacy focus on judicial politics, gender and law, women in legal professions, human rights, democratisation and civil-society organising. Her books include African Women in Law and African Women Judges, alongside major edited works on women, judging and international law.

**Advocate Nthabiseng Mogale**

(Former Chairperson, Commission for Gender Equality)

Advocate Nthabiseng Sepanya Mogale holds BA, LLB and LLM degrees from Wits University and postgraduate qualifications in human rights litigation and legislative drafting. An Advocate of the High Court and certified mediator, she chaired the Commission for Gender Equality until July 2026. She has held senior roles across government, coordinated the Truth and Reconciliation Commission's Reparations and Rehabilitation Committee, and remains committed to social justice and particularly advancing women's rights.

SPEAKER PROFILES



Ms Marthe Muller

(South African Women in Dialogue (SAWID))

Marthe Muller is a person deeply committed to the sustainability of individuals, families, communities and human civilization, with a great interest in planetary issues and the role of Africa in honouring the vision of South African struggle martyrs like Steve Biko and Robert Sobukwe who believed that Africa has a very special role to play in "humanizing" the world. It is her personal objective to highlight the wisdom and legacy of African women in this regard, and to ensure that the textures, patterns and rhythms of women's lives are embedded in the structures that govern us.



Ms Melissa Robertson

(Doctoral Fellow & Researcher, H.F. Oppenheimer Chair in Human Rights Law, Stellenbosch University)

Melissa Robertson is an admitted attorney and LLD candidate under the H.F. Oppenheimer Chair in Human Rights Law at Stellenbosch University, where she also provides research support. Her doctoral research examines substantive gender equality and climate change adaptation in South Africa. She previously worked at the Centre for Social Justice, ENSafrica and an independent power producer. She holds a BA and LLB from UCT and LLM cum laude from Stellenbosch.



Ms Seehaam Samaai

(South African Human Rights Commissioner, Eastern Cape)

Seehaam Samaai is a feminist lawyer and activist who has practised as an attorney since 2001. She holds a BProc and an LLM in constitutional litigation from the University of the Western Cape and serves as Director of the Women's Legal Centre. She also chairs Lawyers for Human Rights and the Association of University Legal Aid Institutions and is Vice-Chairperson of NADEL's Western Cape branch.



Professor Narnia Bohler-Muller

(Flourishing Life Research Theme, Faculty of Law, University of the Free State)

Professor Narnia Bohler-Muller is a legal scholar and social scientist specialising in constitutional law, democracy, governance, human rights, gender equality and social justice. She leads the Flourishing Life Research Theme at the University of the Free State. Previously, she was a Divisional Executive at the Human Sciences Research Council, Professor of Law at Vista University and Nelson Mandela Metropolitan University, and Research Director at the Africa Institute of South Africa.



Mr. Clement Ngoma

(PhD candidate at the University of Cape Town, Cape Town, South Africa)

Clement Ngoma is a PhD Candidate in the department of Public Law at the University of Cape Town (UCT) in Cape Town, South Africa. Prior to his doctoral studies, he served as Lecturer in Law at the Copperbelt University in Kitwe, Zambia



Mrs. Palesa Pitso

(IIE Emeris NMB)

Palesa Pitso is a legal academic and researcher specialising in criminal justice, transnational criminal law, and correctional reform. She holds an LLB from Nelson Mandela University and an LLM in Transnational Criminal Justice from the University of the Western Cape. She currently lectures law and is engaged in doctoral research focusing on recidivism and correctional reform in Sub-Saharan Africa.

SPEAKER PROFILES

**Ntando Sindane**

(Senior Lecturer: Department of Public Law, Stellenbosch University)
Ntando Sindane is a Senior Lecturer in Public Law at Stellenbosch University, teaching Public International Law and Jurisprudence. He previously taught at the universities of the Western Cape and the Free State. He holds LLB and LLM degrees from UNISA and a PhD in Intellectual Property Law from UCT. His doctoral research examines ancestors and copyright law through decolonial and pluriversal approaches. He also edits scholarly and literary academic journals.

**Mr Thulani Hlatswayo**

(Coordinator: Listen, Live and Learn (LLL) Programme and Resident Head: Senior Living Experiences)
He is a strategic leader and policy innovator committed to strengthening governance and social development through inclusive engagement, project leadership, and evidence-based policy design. With deep insight into societal dynamics, I empower institutions and individuals to lead change with purpose and integrity.

**Ms Jamie van Schalkwyk**

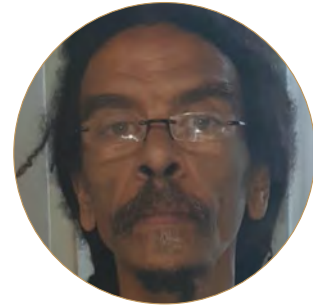
Jamie van Schalkwyk is an LLM candidate and departmental assistant in the Department of Public Law at Stellenbosch University. Supervised by Dr Ntando Sindane, her thesis, "Colonial Laws, Culture and History: A Critique of Post-Apartheid Constitutionalism", develops the concept of managed inclusion to explain how constitutional grammar absorbs decolonial claims while neutralising their force. Her work reads *City of Tshwane v AfriForum* against both Latin American and African decolonial theory.

**Mrs. Yevai Gerber**

(PhD Candidate, Amsterdam Centre for Transformative Private Law (ACT))
Yevai holds a master's in international business law from the Vrije Universiteit, Amsterdam and is currently a second-year PhD candidate at the University of Amsterdam (Amsterdam Centre for Transformative Private Law) where she researches on food systems and the transformative role of private law. Her broader research interests include business and human rights, global value chains and African approaches to [private] law.

**Prof Karin van Marle**

Professor Karin van Marle holds the Research Chair in Gender, Transformation and World-making at the University of the Western Cape. Recognised for work in critical jurisprudence and feminist legal theory, she examines legal philosophy, post-apartheid transformation, fragility and feminist ethics. She previously held posts at the universities of Pretoria and the Free State, was an adjunct professor at Southern Cross University and a STIAS Fellow, and has supervised postgraduate candidates.

**Mr. Mario Olckers**

(Khoisan-descendant independent scholar based in Eersteriver, Cape Town)
Mario Olckers is an independent legal researcher based in Eersterivier, Cape Town. He studied Law and Political Science at Stellenbosch University in the 1990s and spent three years in Myanmar (Burma) as an ordained Theravada Buddhist monk under Chanmyay Sayadaw. He has a Dip.B.Dh (Diploma in Basic Buddhist Philosophy) from ITBMU (International Theravada Buddhist Missionary University).

SPEAKER PROFILES



Dr. Phoebe Oyugi

(Humboldt University of Berlin)

Dr. Phoebe Oyugi is a legal scholar specialising in international criminal law and human rights, who holds a PhD from Stellenbosch University where her research examined head of state immunity and the African Union-ICC relationship. Her academic work explores issues including the potential for plea negotiation at the ICC, African perspectives on international justice, and the mobilisation of pre-colonial legal systems to address climate disputes in Kenya.



Prof Zsa-Zsa Boggenpoel

(Department of Private Law, Stellenbosch University)

Professor Zsa-Zsa Boggenpoel obtained her Bachelor of Commerce (BCom) and Bachelor of Laws (LLB) degrees from Stellenbosch University in 2005 and 2007, respectively. She commenced her Master of Laws (LLM) in 2008, which was upgraded to a doctoral degree in 2009. In 2010, at the age of 25, she completed her Doctor of Laws (LLD) degree from Stellenbosch University for research on the constitutional implications of building encroachments.



Mr Akhona Sandaza

(Manager: Academic Delivery, Faculty of Law, Eduvos)

Akhona Sandaza is a legal academic, researcher and Manager of Academic Delivery in the Faculty of Law at Eduvos, where he leads the Law Faculty at the Tyger Valley campus. He holds LLB and LLM degrees in Mercantile Law from Stellenbosch University and is pursuing an LLD. His research addresses labour law, social security and informal-economy workers. He advances legal scholarship, academic excellence, student success and community engagement through education.



Ms Mia West

(LLB Candidate, Stellenbosch University and Social Justice Ambassador)

Ms Mia West is a final-year Bachelor of Laws (LLB IV) student at Stellenbosch University and serves as a Social Justice Ambassador for the Stellenbosch University Centre for Social Justice. She also works as an academic mentor within the university community.



Professor Anthony Diala

(Professor of Law and Director, Centre for Legal Integration in Africa; University of the Western Cape)

Professor Anthony Diala is the founding Director of the Centre for Legal Integration in Africa at the University of the Western Cape. His research examines interactions between normative orders. He holds a PhD in Indigenous Laws from UCT, an LLM in Human Rights and Democratisation from the University of Pretoria and an LLB from Enugu State University. He previously worked with international criminal justice and peace institutions in Africa.



Dr. Oluwasegun Ogunsakin

(Department of Peace and Security Studies, Ekiti State University, Ado-Ekiti, Ekiti State, Nigeria)

Oluwasegun Ogunsakin holds a PhD in Peace and Security Studies from Ekiti State University, Nigeria, and is a project manager at Bellwether International. His work engages community development, youth participation, security, peacebuilding, food security, organisational management, monitoring and evaluation, and humanitarian issues. He is also an associate editor of Australia's Development in Practice journal and seeks to advance African research and community programmes.

SPEAKER PROFILES

**Dr Opeyemi A. Gbadegesin**

(Department of Public Law, Faculty of Law, University of Ibadan, Nigeria)
Opeyemi Adewale Gbadegesin is a Lecturer in the Department of Public Law, University of Ibadan, Nigeria. He holds a PhD in Law from the University of Ibadan, where his research examined natural resource governance and the concept of sustainable development. His scholarship explores the intersections of environmental law, climate change, and Indigenous knowledge systems, with a focus on advancing sustainability and justice in Africa.

**Mr. Mateo Andres Riveros Parra**

(MA Justice & Transformation, University of Cape Town)
Mr Mateo Andres Riveros Parra is an eighth-semester student in the Government and International Relations programme at the Universidad Externado de Colombia. He previously volunteered with the Colombian Network of International Relations (RedIntercol), where he conducted research, participated in the VII National Congress with two presentations, and developed his analytical and logistics skills.

**Mrs. Nokwanda Sihlali**

(UCT)

Mrs Nokwanda Sihlali is a Research Officer at the University of Cape Town's Land and Accountability Research Centre, where her expertise focuses on land rights, tenure security, and African feminist perspectives in rural South Africa. She holds a Master's degree in Industrial Sociology from Wits University and has worked across research, advocacy, and community spaces for over a decade.

**Mr. Maxwell Xolani Rani**

(University of Cape Town Centre for Theatre and Dance Performance Studies)

Maxwell Xolani Rani is a Senior Lecturer in the Centre for Theatre, Dance and Performance Studies at the University of Cape Town (UCT). He holds a Master of Music (MMus) degree in Dance from UCT and is currently a PhD Fellow at the same institution. His academic, artistic, and pedagogical work focuses on African dance performance, choreography, embodiment, decoloniality, and the development of African-centred movement pedagogies.

**Prof Scott Drimie**

(Southern Africa Food Lab Director, Stellenbosch University)

Scott Drimie is Professor in the faculty of AgriSciences at Stellenbosch University and Co-Director of the Southern Africa Food Lab. He holds a PhD and MPhil from Cambridge University and brings more than twenty-five years of political economy work to the power dynamics, relationships and institutional arrangements that shape food systems, translating rigorous analysis into practical strategies for transformation.

**Dr Qinisani Qwabe**

(Lecturer: Department of Agricultural Sciences, Faculty of Science)

Qinisani Qwabe is a lecturer at Nelson Mandela University specialising in agriculture, rural development and food security. He holds a PhD in Sustainable Agriculture, with research focused on indigenous vegetables, and brings practical farming experience to his academic work. He co-chairs AAUN's Early Career Researchers' Group and was named among the Mail & Guardian's 200 Young South Africans. His NRF-funded research sustainably advances indigenous food crops across South Africa.

SPEAKER PROFILES



Ms Vicaria February

(LLB, University of the University of the Free State and Research Intern, Centre for Social Justice, Stellenbosch University)

A legal intern at Stellenbosch University's Centre for Social Justice, she supports legal research, project coordination, stakeholder engagement and administration. She holds an LLB from the University of the Free State, completed in 2025, and is a Golden Key member recognised for academic achievement. Her tutoring experience with Superprof reflects her commitment to engaging learning. She aims to apply her legal and administrative skills to initiatives advancing equity and change.



Dr. Vusi Mshayisa

(Senior Lecturer & Curriculum Officer, Department of Food Science and Technology | UMnyango Wezesayensi Yezokudla nobuchwepheshe Cape Peninsula University of Technology)

Dr. Vusi Vincent Mshayisa is an award-winning Senior Lecturer, Researcher, and Curriculum Officer in the Department of Food Science and Technology at the Cape Peninsula University of Technology (CPUT). He specializes in sustainable food systems, alternative proteins, and edible insect proteins like Black Soldier Fly larvae.



Dr. Yuvan M. Shunmugam

(Department of Religion Studies, Faculty of Theology & Religion, University of the Free State)

Dr Yuvan Mathias Shunmugam is a South African academic whose work spans human behaviour, social systems and leadership. At 25, he became the youngest doctoral graduate in the 105-year history of the University of Pretoria's Faculty of Theology and Religion. Drawing on psychology, organisational leadership and belief systems, his interdisciplinary research examines how values, meaning-making and social dynamics influence development, cohesion and decision-making in complex environments.



Dr. Favour Funke Akanbi

(Institution: Dullah Omar Institute for Constitutional Law, Governance and Human Rights, Faculty of Law, University of the Western Cape)

Favour Funke Akanbi is a researcher at the Dullah Omar Institute for Constitutional Law, Governance and Human Rights, University of the Western Cape. She holds an LLM in Human Rights Protection from UWC and an LLB from the University of Fort Hare and is a Mastercard Foundation Scholars alumna. Her research addresses socio-economic and children's rights, gender equality, sexual and reproductive health and rights, and non-communicable disease regulation in Africa.



Prof. Usang Maria Assim

(Institution: Dullah Omar Institute for Constitutional Law, Governance and Human Rights, Faculty of Law, University of the Western Cape)

Usang Maria Assim is an Associate Professor in UWC's Department of Public Law and Jurisprudence and a senior research associate in the Children's Rights and Socio-Economic Rights Projects at the Dullah Omar Institute. A children's rights expert, she collaborates with the African Union Committee of Experts on the Rights and Welfare of the Child, its partners and civil society organisations to advance children's rights across Africa and globally.



Mrs. Gladys Mirugi-Mukundi

(Institution: Dullah Omar Institute for Constitutional Law, Governance and Human Rights, Faculty of Law, University of the Western Cape)

Gladys Mirugi-Mukundi is a researcher and Acting Project Head of the Socio-Economic Rights Project at the Dullah Omar Institute, University of the Western Cape. Her research examines gender in housing law, organised crime and the rule of law, anti-corruption, and public policy supporting socio-economic rights and social justice. Her work emphasises law's transformative potential in advancing social equity across African societies.

SPEAKER PROFILES

**Dr Greg Munro**

(Director, Cities Alliance)

Dr Greg Munro is a public health physician with extensive experience strengthening primary healthcare through local government in post-apartheid South Africa. He served on the advisory committee to the Ministers of Health and led research and reform on health-sector parity and decentralisation. He also developed South Africa's first local-government strategy for responding to the HIV pandemic.

**Prof Nic Olivier**

(Extraordinary Professor in the Faculty of Law, North-West University)

Professor Nic Olivier is an Extraordinary Professor in North-West University's Faculty of Law and former Director of the SADC Centre for Land-related, Regional and Development Law and Policy at the University of Pretoria. His expertise spans land reform, governance, human rights and higher-education policy. He has advised government, contributed to major South African policy and legislative drafting initiatives, and continues to consult internationally on constitutional and land-governance matters.

**Mr Joel Elifala**

(PhD Candidate; International Trade and Tax Law Advisory; ACI Arb; AML Desk Officer)

Joel Elifala is a multifaceted legal practitioner. His areas of specialization are international tax law and international trade law. He also has advanced training in intellectual property law, law of international financial institutions and aviation law. Between 2023 and 2025, he focused on handling litigation cases where he represented clients in various fields of law and in all courts of the Republic of Malawi.

**Prof Geo Quinot**

(Pro-Vice-Chancellor: Government Partnerships; Professor, Department of Public Law; Faculty of Law, Stellenbosch University; Director: African Procurement Law Unit) Professor Geo Quinot is a Professor in the Department of Public Law at Stellenbosch University and the founding Director of the African Procurement Law Unit (APLU). A leading expert on public procurement, he holds an LLD and multiple master's degrees from international institutions, and has been a Fulbright scholar. His research focuses on administrative law, state commercial activity, and legal education, and he serves as Pro-Vice-Chancellor: Government Partnerships at Stellenbosch.

**Dr. Gareth Haysom**

(African Centre for Cities, University of Cape Town)

Dr Gareth Haysom is a Senior Researcher at UCT's African Centre for Cities, where he co-leads the Urban Food Systems Research Cluster. His research uses food as a lens on urbanisation in Global South cities, particularly in Africa. With more than 20 years' experience in urban food-system transitions and governance, he advises municipalities, development organisations and UN bodies, including the FAO and UN-Habitat, on integrating food systems into urban planning.

**Ms Amber Randall**

(LLB, LLM, LLD Candidate, Admitted Attorney, Departmental Assistant in Private Law, Stellenbosch University) Amber Randall is an LLD candidate and Research Assistant in Stellenbosch University's Department of Private Law. Her doctoral research examines exploitative child labour in the fast-fashion industry through children's rights, labour exploitation and global supply-chain perspectives. An admitted attorney with corporate and intellectual-property law experience, her interdisciplinary and intersectional scholarship also engages gender equality, precarious work, fashion law, and business and human rights.

SPEAKER PROFILES



Mrs. Britta Rennkamp

(African Climate and Development Initiative: UCT)

Dr Britta Rennkamp is a senior researcher at the African Climate and Development Initiative (ACDI), University of Cape Town, South Africa. Her research focuses on climate policy and technology in developing countries and the links between poverty, inequality, energy, and mitigation of climate change. Britta has contributed to the scholarship of Science and Technology Policy Studies specifically in the field of climate change and energy in the Global South.



DDG Godfrey Mashamba

(Deputy Director-General: Evaluation, Evidence and Knowledge Systems · Department of Planning, Monitoring and Evaluation)

Godfrey Mashamba is a Deputy Director-General in South Africa's Department of Planning, Monitoring and Evaluation, overseeing evaluation, data integration and analytics for evidence-informed decision-making. He has led major system-wide assessments, including the Government's 30-Year Review Report (1994–2024), South Africa's COVID-19 Country Report and the annual Development Indicators Report, which tracks progress towards the National Development Plan 2030.



Ms Jessica Elvos

(LLB Candidate, Stellenbosch University and Social Justice Ambassador)

Ms. Jessica Elvos is an LLB law student and student leader at Stellenbosch University who serves as a Social Justice Ambassador and holds leadership roles such as Vice-Chair of UNASA SU, focusing on constitutional literacy and civic engagement.



Dr Jacques Matthee

Dr Jacques Matthee is a Senior Lecturer and Vice-Dean for Learning, Teaching, Innovation and Digitalisation at the University of the Free State Faculty of Law. His research focuses on legal pluralism, African customary law, criminal law and medical law, particularly the intersections of culture, religion, crime and healthcare. His work examines traditional healing, harmful cultural practices, cultural defences and customary justice. He is also actively involved in legal education, with a particular interest in innovative and digitally enhanced teaching and learning.



Dr. Nonhle Tracey Sibisi

(Department of Corrections Management, School of Criminal Justice, College of Law, University of South Africa, Pretoria)

Dr Nonhle Sibisi is a Post-Doctoral Fellow at the University of South Africa in the School of Criminal Justice. She holds a PhD in Criminology from the University of Pretoria and has extensive experience in policy research, governance, criminal justice, human rights, and social development. Her research interests include criminal justice, gender-based violence, policing, community safety, public policy, and social justice.



Ms. Ané Theron

(LLB, LLM, LLD Candidate, Department of Private Law, Stellenbosch University)

Ané Theron is an LLD candidate in Stellenbosch University's Department of Private Law. Her doctoral research evaluates the Expropriation Act 13 of 2024 through Resilient Property theory, focusing on unlawful occupiers, access to adequate housing and nil-compensation expropriation in South African and Dutch law. Her earlier LLM research examined English and South African approaches to expropriation. Her interests include property and constitutional law, legal philosophy and statutory interpretation.

SPEAKER PROFILES

**Monique Carels**

(Lecturer & Mediator: LLB (UWC), LLM (University Of Missouri), LLM (UWC), Phd Candidate (UCT))

Monique Carels is a lecturer in the Department of Commercial Law at the University of Cape Town's Faculty of Law, where she teaches dispute resolution courses to both final-year undergraduate and Master's students. Her expertise is in dispute resolution, with a focus on teaching, practice, and research in negotiation and mediation. Beyond her academic role, Monique has extensive practical experience as a commercial and family law mediator, working closely with families and businesses in conflict. She is deeply committed to helping people resolve conflicts and bringing peace to their situations.

**Justice Daniel Thulare**

(Justice of the Western Cape High Court Division)

Justice Daniel Thulare holds B Juris, LLB and LLM degrees from UNISA. After working as a prosecutor and attorney, he was admitted as an advocate in 2002. He joined the magistracy in 1999, became a senior magistrate in 2005 and was appointed Chief Magistrate of Cape Town in 2016. He also served as President of the Judicial Officers Association of South Africa until 2019.

**Ms Ziyanda Ngoma**

(Head, Partnerships and Development Finance, United Nations South Africa)

Ziyanda Ngoma leads Partnerships and Development Finance in the United Nations Resident Coordinator's Office in South Africa. She builds collaboration among the UN, government, business and development partners to advance the Sustainable Development Goals through practical solutions. An experienced Southern African social-development professional, she holds an MSc in Globalisation and Development from SOAS, University of London, as well as a social-science degree and postgraduate management diploma from UCT.

**Dr Marna Lourens**

(Project Manager, Centre for Social Justice, Stellenbosch University)

Marna Lourens is Project Manager at Stellenbosch University's Centre for Social Justice, supporting its social justice scholarship and consciousness mandate. She lectures in the Law of Mediation, and her research focuses on gender and the law, intersectionality and transformative justice, particularly how legal frameworks respond to layered inequality. She is also an artist whose work explores women's histories and lived experiences.

**Ms Diane Gahiza**

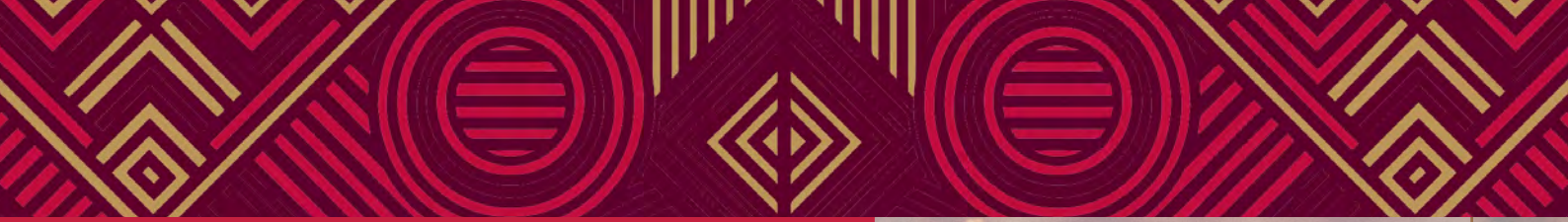
(Project Coordinator at the Centre for Social Justice at Stellenbosch University)

She leads impactful initiatives by overseeing diverse projects including shortcourses. She interfaces with stakeholders, mentors interns and coordinates events, strengthening the Centre's influence to promote social justice, equality and social impact.

**Camryn Jones**

(BA Law and Politics graduate from Eduvos)

Camryn Jones is currently a research assistant at the Centre for Social Justice. His key areas of interest are Family law and Criminal Law.



CALL FOR ABSTRACTS



7th INTERNATIONAL SOCIAL JUSTICE CONFERENCE (7th ISJC) 2026

CALL FOR PAPERS | CENTRE FOR SOCIAL JUSTICE |
FACULTY OF LAW | STELLENBOSCH UNIVERSITY

Format: Hybrid (In-person and virtual participation)

Conference Theme: Decoloniality, Constitutional
Transformation and Social Justice in the Global South:
Indigenous Systems, Food Sovereignty and Pathways
to Substantive Equality



24 AUGUST 2026 • STIAS, STELLENBOSCH



CONFERENCE OVERVIEW

The 7th International Social Justice Conference (7th ISJC) invites scholars, jurists, researchers, policy-makers, development practitioners, indigenous knowledge scholars and civil society actors to critically engage questions relating to constitutional transformation, decoloniality, indigenous systems and social justice within the Global South.

Thirty years into constitutional democracy in South Africa under a Constitution that entrenches social justice as one of the pillars of the blueprint the Constitution seeks to establish, social justice and related equal enjoyment of all rights and freedoms on a level playing field seem elusive.

The structural inequalities that undermine social justice are not unique to South Africa but are part of a broader global context marked by persistent and intergenerationally transmitted forms of inequality, socio-economic disadvantage and exclusion, food insecurity, ecological vulnerability, and governance. Such disparities remain shaped by histories of colonialism, dispossession and legalised injustice. This is despite constitutions hailed as blueprints for transformative governance undergirded by transformative constitutionalism and socially just sustainable development.

One of the enduring structural inequality legacies of previously legalised injustices such as colonialism, is systemic inequality between the Global North and the Global South impacting on equal enjoyment of political, economic, social and cultural rights on an equal footing within and between societies, with the Global South visibly continuing to bear the yoke of colonial developmental barriers, reflected in epistemic hegemonies, culturally unfit legal systems and the marginalisation of indigenous systems of governance and production, including food production.

These realities raise important questions regarding the extent to which constitutional democracies and governance systems have meaningfully advanced substantive equality, social justice and equitable development, particularly within contexts characterised by structural inequality, food insecurity, ecological vulnerability, and unequal systems of production and distribution.

The conference further recognises that persistent inequality, poverty and food insecurity cannot be attributed to a single cause. Rather, these conditions emerge through a complex interaction of historical dispossession, structural inequality, governance failures, institutional weaknesses, and broader systemic challenges that continue to shape material lived realities across many societies within the Global South.

Across these interrelated concerns, the conference seeks to foster critical engagement with distributive, reparative, restorative and recognitional dimensions of justice, focusing on social justice, particularly within contexts shaped by histories of colonialism, dispossession, structural inequality, food insecurity, ecological vulnerability and unequal systems of governance, production and resource distribution.

Within this context, the conference positions decoloniality not merely as an abstract or purely epistemic project, nor solely as a process of decolonisation in the formal political or institutional sense, but as a critical framework for interrogating the enduring structural effects of colonialism and the material conditions that continue to shape inequality, exclusion, food systems, local economies, governance structures, resource distribution and lived realities within the Global South. Particular attention is given to the extent to which constitutional democracies and governance systems meaningfully confront historical injustice, structural inequality and persistent forms of exclusion.

The conference further recognises that questions of constitutional transformation and social justice are inseparable from the broader political economy of inequality, including the organisation of food systems, systems of production and distribution, governance accountability and the extent to which constitutional implementation meaningfully transforms material conditions and lived realities. Particular attention will therefore be given to the relationship between constitutional implementation and lived realities, including questions relating to poverty, food insecurity, food sovereignty, ecological sustainability, indigenous systems, governance accountability and transformative development.

As part of epistemic decoloniality, the conference will also examine the place of indigenous philosophical grounding of society, including the African philosophy known as ubuntu and similar shared humanity philosophical thoughts from the Global South. In this regard, the conference recognises an important distinction between colonialism as a historical and structural system of domination, de-

colonisation as processes of political and institutional transformation, and decoloniality as an ongoing critical engagement with the enduring effects of colonial power, inequality and exclusion.

Subsequently, the conference seeks to foster critical engagement with restorative and redistributive approaches to constitutional transformation, including the restoration and regeneration of historically marginalised systems of governance, production and knowledge, alongside more equitable distribution of opportunities, resources and social goods. For example, this may include critical engagement with the constitutional recognition and adaptation of indigenous and customary governance systems, such as traditional leadership institutions, community-based land governance, customary dispute resolution mechanisms and indigenous participatory decision-making processes, particularly where these systems have historically been displaced or subordinated through colonial and apartheid governance arrangements.

Within this broader framework, the conference seeks to create an interdisciplinary and comparative platform for engaging constitutional, legal, governance and developmental questions relating to:

1. Constitutional governance and transformative constitutionalism for equality and social justice;
2. Transformative governance under a social justice and human rights anchored Constitution;
3. Indigenous legal and philosophical systems, access to justice and multicultural governance;
4. Food sovereignty, food security and sustainable development;
5. Restorative and redistributive dimensions of social justice;
6. Governance accountability and transformative development in the age of AI;
7. Constitutional political economy, local economies and systems of production; and
8. Decoloniality and constitutional futures.

Considerations of gender equality, sexual orientation, nationality and other yokes of inequality that intersect to exacerbate the social injustice experiences of certain social groups in society will be mainstreamed across all thematic discussions.

The conference further seeks to foster Global South-centred scholarship and dialogue on pathways toward equitable, restorative, sustainable and socially just futures grounded in constitutional transformation, substantive equality and transformative governance. Contributions engaging with Sustainable Development Goals 2 (Zero Hunger), 10 (Reduced Inequalities), 13 (Climate Action) and 16 (Peace, Justice and Strong Institutions), as well as Agenda 2063, particularly within Global South constitutional and governance contexts, are especially encouraged.

THEMATIC CONFERENCE STREAMS

Abstracts are invited in (but not limited to) the following areas:

1. Transformative Constitutionalism, Structural Inequality and Social Justice
2. Decoloniality, Constitutional Futures and Epistemic Justice
3. Indigenous Systems, Governance and Legal Pluralism
4. Food Sovereignty, Food Justice and Sustainable Development
5. Governance, Institutional Accountability and Transformative Development
6. Restorative and Redistributive Pathways to Social Justice

1. Transformative Constitutionalism, Structural Inequality and Social Justice

Indicative topics include:

- a. transformative constitutionalism and substantive equality;
- b. restorative and redistributive constitutionalism;
- c. constitutional governance, social justice and socio-economic rights;
- d. constitutional accountability and implementation;
- e. law, inequality and structural exclusion;
- f. constitutionalism and lived realities; and
- g. judicial approaches to transformative justice.

2. Decoloniality, Constitutional Futures and Epistemic Justice

Indicative topics include:

- a. decolonial constitutionalism;
- b. epistemic justice and legal knowledge systems;
- c. decoloniality, governance and development;
- d. decolonial political economy and systems of production;
- e. decolonising law and public institutions;
- f. constitutional futures in the Global South; and
- g. law, power and structural transformation.

3. Indigenous Systems, Governance and Legal Pluralism

Indicative topics include:

- a. indigenous knowledge systems, constitutional governance and democratic accountability;
- b. indigenous systems, constitutional transformation and food sovereignty;
- c. legal pluralism, customary law and substantive equality;
- d. traditional leadership, governance and constitutional accountability;
- e. customary law, gender justice and intersectional equality;
- f. indigenous systems, sustainability and transformative development; and
- g. critical perspectives on indigenous systems within constitutional democracies.

4. Food Sovereignty, Food Justice and Sustainable Development

Indicative topics include:

- a. food sovereignty and constitutional rights;
- b. right to food and transformative constitutionalism;
- a. food justice and socio-economic inequality;
- b. indigenous food systems and ecological sustainability;
- c. climate justice and sustainable livelihoods;
- d. local economies and community resilience; and
- e. governance, food systems and constitutional political economy.

5. Governance, Institutional Accountability and Transformative Development

Indicative topics include:

- a. governance and constitutional accountability;
- b. local government and transformative development;
- c. public institutions and socio-economic rights;
- d. governance failures and structural inequality;
- e. social justice impact assessment and policy design;
- f. governance innovation and transformative governance; and
- g. governance systems and socially responsive development.

6. Restorative and Redistributive Pathways to Social Justice

Indicative topics include:

- restorative constitutionalism and substantive equality;
- redistributive justice and substantive equality;
- recognition and redistribution;
- ubuntu and transformative governance;
- reparative approaches to historical injustice;
- access to justice and social inclusion; and
- pathways toward equitable, sustainable and socially just futures.

Interdisciplinary, comparative and practice-oriented contributions, grounded in social justice constitutional principles are particularly encouraged.

SUBMISSION GUIDELINES

- **Theme** under which submission is made
- **Abstract Length:** 300–400 words
- **Author Details:** Include full name, institutional affiliation and a short biography (maximum 150 words)
- **Submission Email:** mlourens@sun.ac.za
- **Abstract Submission Deadline:** 15 June 2026
- **Notification of Acceptance:** 15 July 2026

Accepted papers will be considered for inclusion in a post-conference publication in partnership with JUTA.

IMPORTANT DATES

Abstract Submission Deadline:
15 June 2026

Notification of Acceptance:
15 July 2026

Conference Date:
24 August 2026

PARTICIPATION

- **Format:** Hybrid (In-person and Virtual Participation)
- **Venue:** Stellenbosch Institute for Advanced Study (STIAS), Stellenbosch, South Africa
- **Presentation Mode:** Accepted presenters may participate either in person or virtually
- **Attendance:** Open to registered delegates nationally and internationally

REGISTRATION FEES

- **In-Person Attendance:** R800 per person (includes meals and conference materials)
- **Virtual Attendance:** Complimentary / To be confirmed

ENQUIRIES

Centre for Social Justice, Faculty of Law, Stellenbosch University
Email: mlourens@sun.ac.za
Website: www.socialjustice.sun.ac.za



MUSA PLAN FOR SOCIAL JUSTICE

Social Justice Musa Plan

Centre for Social Justice (CSJ)

COMPENDIUM of outcomes of
previous **Social Justice Conferences**



Stellenbosch
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Resolution adopted by the Inaugural International Social Justice Conference 2019, Hazendal Wine Estate

Leveraging the Sustainable Development Goals and the Global Human Rights Agenda to Advance Social Justice

The Participants,

- **Mindful** of the reality that as long as there is injustice somewhere there cannot be sustainable peace and that the greatest imperative of our time is social justice as a basis for sustainable peace, whilst acknowledging the inherent worth, value and dignity of the national environment,
- **Recognising** the constitutional responsibility to advance equality, human dignity, freedom and social justice,
- **Concerned** about the systemic disparities that continue to pervade society and the resulting deterioration in social cohesion and environmental sustainability,
- **Note** that socio- economic disparities is primarily as a result of the intersecting grounds of race, gender and class, as well as ceaseless patterns of violence and environmental abuse, and within a common understanding of the psychological and emotional trauma of a large majority of our people,
- **Acknowledge** the important role of academia and civil society in advancing the Global Agenda for Social Justice,
- **Welcoming** the initiative of the Law Trust Chair in Social Justice, Faculty of Law, Stellenbosch University, in leveraging the SDGs as a catalyst for social justice change,

1. **Decide** to give life to the constitutional promise of social justice and to draw on the lived experiences of the people,

2. **Encouraged** by the commitment and willingness of participants to join hands to continue with research and dialogue, even where we disagree, to ensure that the constitutional and universal declaration's promises of equal enjoyment of all human rights for all, is realised for all,

3. **Invite academia** and civil society to expand our common understanding on how to reduce poverty and inequality so that we can move the social justice discourse forward in a manner that is in line with the constitutional objectives of a united South Africa anchored in shared humanity and prosperity,

4. **Agree to:**

- explore the pathways available to address social injustices globally;
- leverage opportunities presented by the SDGs, national constitutions and development plans in national and international contexts;
- share information on research that is undertaken;
- source information for the Social Justice hub at Stellenbosch University;
- form a coalition of universities, researchers and civil society that works in a coordinated way to advance social justice;
- focus on a multi-sectoral approach for a cohesive future; and
- endorse the Social Justice M-Plan.

5. **Request** the Law Trust Chair in Social Justice, Stellenbosch University, to convene yearly social justice conferences.

1st Plenary meeting
31 August 2019

Boschendal Resolution on Mainstreaming Social Justice and Economic Policy Design and Law Reform

*The Boschendal Resolution on Mainstreaming Social Justice in Economic Policy Design and Law Reform was adopted at the **Second International Social Justice Conference** on 11 October 2021 at Boschendal Conference Centre, South Africa.*

The conference, titled 'Taking Economic Equality Seriously', was hosted by the Law Trust Chair in Social Justice at Stellenbosch University and the Council of Social Justice Champions.

We, the participants at the Second International Social Justice Conference, gathered at the Boschendal Conference Centre, drawn from diverse disciplinary backgrounds from all South African provinces, various parts of the African continent and beyond:

1. **Note with deep concern** that the Covid-19 pandemic, which has cost millions of lives, particularly those of the poorest in the world, has exposed the scale of social and economic imbalances and left certain groups of societies severely exposed to heightened social and economic hardships, including food security disruptions,
2. **Believe the freedom** to thrive socially and economically, in equality with others, is the birth right of every man, woman or person on the continent and in the broader world, yet many remain bound in chains of poverty, inequality, hunger and various forms of social exclusion, including education and digital exclusion,
3. **Are convinced** that deepening poverty, hunger and inequality pose a threat to social cohesion, peace, stability and the rule of law, while undermining sustainable development and resilient economic growth, and that there is an urgent need to make meaningful progress in addressing these disparities in line with the global Sustainable Development Goals (SDGs),
4. **Reaffirm our commitment** to the Resolution of the Inaugural International Social Justice Conference, which took place at Hazendal Wine Estate in 2019, among them the endorsement of the Musa Plan for Social Justice (Social Justice M-Plan), a Marshall Plan-like initiative dedicated to advancing social justice in South Africa; the acknowledgement of the threat that social injustice poses to sustainable development, social cohesion, peace and stability; and the seizing of the catalytic opportunity presented by the 2030 Agenda for Sustainable Development and the opportunities available for multi-disciplinary academic research to catalyse progress towards breaking the back of structural inequality and ending poverty,
5. **Further reaffirm** the link between social justice and human rights and, specifically, the grounding of social justice in international and regional human rights treaties such as the Charter of the United Nations (UN Charter) Universal Declaration of Human Rights (UDHR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of Persons with Disabilities (CRPD), the Convention on the Rights of the Child (CRC), the African Charter on Human and Peoples' Rights, the Maputo Protocol, and subsidiary human rights and social change instruments,
6. **Encouraged and inspired** by the concrete social justice commitments and program of action in the Copenhagen Declaration and Programme of Action of 1995, the SDGs adopted by the United Nations (UN) in 2015 as a universal call to end poverty, advance equality, foster resilient communities, protect the planet and ensure that all people enjoy peace and prosperity by 2030, the African Union's Agenda 2063: The Africa We Want,

which is a shared vision and strategic framework for achieving a peaceful Africa that works for all,

7. **Acknowledge the duty** of African governments and the collective responsibility of all sections of society to advance social justice, particularly regarding social and economic parity, while being mindful of the interconnectedness and indivisibility of human rights and freedoms,

8. **Note progress** made since the Inaugural International Social Justice Conference, particularly regarding research and exploring good practice in the use of prospective social impact tools that leverage systems and design thinking, using disaggregated data to predict the social justice impact of planned laws and policies focusing on economic equality and other sub-issues,

9. **Note that the regulatory responses** to Covid-19, although well intended, had a disparate impact on the poor and other vulnerable groups,

10. **Note that not enough attention** has been paid to the relationship between economic policy design and social well-being, including human development, environmental justice and mental health,

11. **Note further** that many of the Covid-19 fiscal relief packages were insufficiently designed to meet the differentiated needs of diverse affected groups in society while, in parts of the continent, arbitrary and unduly excessive measures were employed in the enforcement of laws and other measures aimed at containing the Covid-19 pandemic, with poor and other disadvantaged groups bearing the brunt of such executive exercise, and

12. **Are encouraged** by progress made since the Inaugural International Social Justice Conference, including experimental research and development work aimed at designing prospective social impact assessments, which includes the Social Justice Impact Assessment Matrix (SIAM) that is being piloted at Swartland Municipality in South Africa with a view to assisting governments, businesses and courts, to mainstream social justice impact considerations at the design stage to ensure planned legislation, policies and programmes are attuned to diversity and do not have a disparate impact on disadvantaged groups and make informed policy choices that eschew any unintended impacts that exacerbate poverty and inequality.

We thereby resolve to:

1. **Recommit** ourselves to seize the opportunity created by Covid-19 rebuilding endeavours, including those presented by the African Continental Free Trade Area (AfCFTA) agreement, to deepen social justice research, innovation and teaching, strengthen collaboration across disciplines and sectors between academic institutions, broader civil society, business and government, as well as across the continent, including combining law making with design thinking, engineering and data science;

2. **Commit** ourselves to increase efforts aimed at advancing social justice through impact foresight anchored in systems thinking, design thinking to aligning policy design reform with social justice obligations focusing on poverty and inequality collaboratively with other stakeholders, together with educating civil society on social justice as well as engaging businesses and government to attune their policies;

3. **Promote** greater accountability for socio-economic inclusion and participatory democracy as well as social accountability through actions that include fostering constitutional literacy, legal literacy and economic literacy, while promoting greater transparency in government economic policy design processes and enhanced access to justice through courts and other forums;

4. **Collaborate** on a Model Law on Equality Duty initiative to assist governments to adopt a law or integrate in existing law a requirement for the certification of compliance with the social justice or equality duty before any law, policy or programme is passed and assist with a model law to facilitate this process, taking into account the lessons from and continued responsibility to advancing gender mainstreaming and children's rights, while remaining mindful of all intersectional inequalities;
5. **Collaborate** to support a Covid-19 rebuilding better together agenda on the continent that transcends the binary focus on health and the economy and includes social well-being imperatives such as education, mental health, food security, climate change and digital inclusion, while fostering a deliberate implementation of the SDGs and Agenda 2063, with all hands on deck in fostering resilient communities, shared prosperity and peace in the constituent countries and the continent;
6. **Collaborate** in fostering a climate of friendship and a culture of shared humanity through embracing social justice, respect for human dignity, embracing diversity and fostering social cohesion and peace on the continent;
7. **Collaborate** towards assisting African governments to invest in people, particularly young people, and improve their position in the Human Development Index so as to foster an ecosystem that is conducive to peace and stability for all, and effective implementation of the AfCFTA agreement;
8. **Reinforce** the role courts serve in supporting democracy through purposive and contextual interpretation of the Constitution in a manner that is anchored in a commitment to the realisation of social justice, combating corruption, and fostering good governance, accountability and the rule of law in a manner that fundamentally transforms economic relations for marginalised groups, in line with the African Charter and international human rights treaties;
9. **Engage** in interdisciplinary research collaboration to design and implement research and capacity-building programs aimed at reinforcing state capacity for ethical leadership, good governance, and anti-corruption in order to improve responsiveness, accountability and broader checks and balances; and
10. **Promote** the prioritisation of the realisation of social justice through economic redistribution and economic parity, ensuring active public participation in budgetary processes to achieve human rights resonant budgets that are informed by mainstreaming gender and intersectionality considerations such as GBV, child abuse and child marriage/adoption to remove social barriers to women and young peoples' economic participation.



Boschendal Conference Statement on Restitution

*Adopted on 11 October 2022 at Boschendal Conference Centre, South Africa, at the **Third International Social Justice Conference** titled 'Restitution'. Hosted by the Law Trust Chair in Social Justice at Stellenbosch University and the Council of Social Justice Champions.*

As academic experts and leaders drawn from government, community experts, business and the diplomatic community from diverse disciplinary backgrounds from all South African provinces, various parts of the African continent and beyond, we met on 11 October 22 at the Boschendal Retreat close to Stellenbosch under the auspices of the third International Social Justice Conference to deliberate on restitution. This was a follow up to the second International Social Justice Conference which focussed on economic parity. One of the conclusions was that many of the inequalities and poverty challenges in South Africa, the African continent and the world, are a legacy of unremedied past injustices that can be traced to odious human rights violations such as slavery, human trafficking, colonialism, apartheid and patriarchy¹.

The conference's focus was on what happened in the past that can be regarded as unjust and how that continues to shape the present patterns of inequality and poverty within and between nations. The deliberations, which benefited from speeches and research papers took place under five themes. The conference themes on past wrongs and restitution were:

1. Wealth, income and economic justice.
2. Health and well-being, family and social life
3. Land, housing and spatial equality
4. Impact of digitisation and innovation on the media, education and epistemology
5. Public governance, democratic leadership, and access to justice

General Observations

1. The conference papers and deliberations confirmed that though there has been acknowledgment of past human rights violations and crimes against humanity such as war crimes and the holocaust and affected communities received some restitution for such wrongs, the same has not been the case regarding racially motivated human rights violations such as slavery, and the colonisation and pillaging of resources from the African continent. These set back the continent and its people within and in the diaspora by centuries regarding economic development and human wellbeing.

¹ *Daniels v Scribante (CCT50/16) [2017] ZACC 13. The first and second judgments remind us all – and remind white people in particular, people like me, lawyers who grew up with the benefits, both accumulated and immediate, of their skin colour in a society that deliberately set out to privilege them, white people who are still the majority in the profession and probably still the majority readers of these reports – that the past is not done with us; that it is not past; that it will not leave us in peace until we have reckoned with its claims to justice."*

2. The conference further noted that not only have racially motivated wrongs not been unacknowledged but the lack of acknowledgement has also limited accountability and left affected victims, be they original or descendants, with perennial trauma, socio-psychological challenges and economic disadvantages in comparison to those that benefited from the past injustices. Participants further noted that aspects of intersectional disparities or pathologies such as gender-based violence, xenophobia and toxic nationalism, can be traced to unremedied past human rights violations.

3. The conference further noted the torture and disappearance of democracy and anti-corruption activists in various countries and that many of these remain unaccounted. In this regard, the conference noted the failure to prosecute perpetrators of human rights violations in South Africa and other transitional democracies and apparent unwillingness of governments to expedite judicial accountability.

4. The conference further noted the role of business in engineering some of the policies and laws that anchored slavery, colonialism, apartheid, extreme patriarchy, systematic social and political diminution and other ideological underpinnings of the human rights violations whose impact continues to inform the current skewed distribution of resources between and within societies.

5. The conference also noted that business has not acknowledged its role, taken accountability or made amends to the victims or descendants of the odious atrocities and the legacy.

6. The conference further observed that the lack of acknowledgement of past wrongs also distorts conversations about the present and the future thus limiting the proficiency of policy choices. This leaves persons and communities with continuing social, psychological and economic challenges that can be traced to the unacknowledged and unremedied past injustices.

7. Participants further acknowledged that the unacknowledged and unremedied injustices of the past underpin stark racial, gender and regional inequalities in economic and social life within and between societies thus undermining social justice. This was further said to undermine trust in democracy and democratic institutions thus encouraging polarisation, extremist tendencies that weaken the rule of law and peace

8. Participants noted that apartheid was declared by the United Nations a crime against humanity and that since then there is at least one prosecution under way in which apartheid as a crime against humanity is a count. They further noted renewed UN calls for intensified efforts aimed at combatting racism and advancing social justice, particularly regarding economic and social parity across colour, ethnicity, and between states or continents.

Acknowledgement and Restitution Acts by Governments

Conference participants were encouraged by emerging trends among governments of acknowledgement of and restitution for past racist motivated human rights violations, including slavery, torture, human degradation, economic deprivation and their legacy. These include:

- 1) New Zealand's acknowledgment of past injustices against the indigenous communities and entry into restitutive treaties and incorporating indigenous practices in mainstream policies

- 2) The Truth and Reconciliation Commission of South Africa (TRC) and other TRCs, which though having not tackled economic dimensions of past human rights wrongs though did not deal with economic impact
- 3) Land restitution programmes in South Africa and other parts of the world though incomplete and not incorporating the social and economic impact of land dispossession that continues to define many of the affected communities
- 4) Kenya UK and Namibia Germany efforts at acknowledging past atrocities though this was viewed as inadequate
- 5) Return of some of the artifacts and human remains of Africans by various former Western Colonial powers, including remain of African leaders and South Africa's Sarah Baartman
- 6) Rwanda restorative justice following the genocide, which includes leveraging indigenous justice systems of inquisitorial and restorative justice and ensuring that all learners take a trip to the genocide museum

Acknowledgement and Restitution Acts by Private Actors

The Conference further noted encouraging acts of acknowledgement of past human rights violations and/or complicity by private actors. These included the following:

1. Georgetown student initiative on restitution to descendants of slaves that were sold to save the university when it was in financial distress;
2. Stellenbosch University's restitution statement, whose implementation has included visual redress such as renaming a key administration building, the Krotoa Building after Krotoa, a Khoi woman that was part of the first encounters between the Khoi, which was one of the indigenous groups and the Dutch settler community that arrived in 1652;

The conference noted with concern that although business drove the process of adopting the policies and laws that led to past atrocities whose impact continues to undermine equality and antipoverty efforts today, it is one group that has not shown any contrition or restitution gestures. It was further noted that business lobbying for policies that exacerbate inequalities, poverty and hunger, in violation of human rights and undermine progress on SDG goals, including climate justice, continues unabated, in the absence of transparency regarding and the regulation of lobbying.

The conference acknowledged that the failure to acknowledge and remedy past human rights and social justice wrongs undermines compliance with international treaty obligations, including regional human rights treaties, such as the Charter of the United Nations (UN Charter), Universal Declaration of Human Rights (UDHC), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of Persons with Disabilities (CRPD), the Convention on the Rights of the Child (CRC), the African Charter on Human and Peoples' Rights, the Maputo Protocol, and subsidiary or social change instruments such as the Durban Declaration on the World Conference Against Racial Discrimination the Sustainable Development Goals and Agenda 2063.

The conference called for the following remedies

- 1) **Establish a restitution fund** to help with closing the economic gap that continues to exist between the beneficiaries of past human rights violation with economic implications and fund education about the past.

- 2) **Business to convene** under the UN Global Compact and reflect on its role in past racially motivated atrocities with a view to acknowledgement and making amends
- 3) **Leverage data science to quantify** the cost of past injustices and impact on stubborn inequalities and poverty that affects groups that were the subject of slavery, colonialism and apartheid, among others.
- 4) **Leverage data science to design** laws and policies that do not exacerbate existing inequalities and poverty.
- 5) **Support the South African Musa Plan** for Social Justice and consider similar initiatives in other nations where there is massive inequality
- 6) **Support the implementation of remedial international social instruments** such as the Copenhagen Declaration and Programme of Action of 1995, the SDGs adopted by the United Nations (UN) in 2015 as a universal call to end poverty, advance equality, foster resilient communities, protect the planet and ensure that all people enjoy peace and prosperity by 2030, the African Union's Agenda 2063: The Africa We Want, which is a shared vision and strategic framework for achieving a peaceful Africa that works for all,

To give effect to the above commitments, we adopt the following programme of action, based on the outcomes of the parallel sessions:

1. Wealth, income and economic justice.

- Urgent measures are required to re-engineer South Africa to be a society of equal opportunity. Key in this is the consideration of restitution to address historical inequalities that still stand in the way of economic justice.
- Restitution must be prioritised not only because it is a legal requirement in South Africa but also because it is imperative to social stability and the promotion of a resilient government.
- Social compacting about restitution must be grounded in knowledge of historical inequality. South Africans must embrace the Constitutional social justice vision to promote restitution amongst those who have historically benefitted.
- Collaborative efforts should be made to create an archive of past laws that caused inequality and create a simulation to demonstrate what the future would have looked like if those laws had not existed.
- Progressive labour regimes should be instituted by government. Minimum wage must be utilised as a restitutive measure as wage inequality is the biggest contributor to overall inequality.
- Corporate political action and lobbying should be regulated to ensure transparency, accountability, and justice.
- All social and public policies must be underpinned by the notion of universal access and emancipation and seek to liberate South Africans from the lingering impact of historical injustices.

2. Health and well-being, family and social life:

- There should be recognition of and an understanding of racial trauma, generational poverty, and harmful gender norms that necessitate restitution.
- Restitution must start within family life and address the way family structures have been dismantled by historic injustices and patriarchy. Change must be substantial, not superficial and government should provide sufficient resources.
- Reconciliation is the first step to redress. Sport can be used as a means to facilitate intercultural understanding, for example.

- Traditional knowledge systems are currently undervalued and can be relied upon for delivering sustainable and transformative reparations.
- Restitution programmes must consider all forms of systemic injustice and violence and include individual, community, and symbolic measures as well as material compensation and improved access to services.
- Victims' participation is crucial for ensuring that benefits of restitution are accessible, equitable and effective.
- Institutional structures should enable cross-sectoral dialogue that also includes marginalised voices that have historically been devalued.
- Current policies in the healthcare system should be reformed with input from communities and impacted individuals to prioritise restitution.
- Gender transformation requires feminist leadership informed by mainstreaming gender and intersectionality considerations.

3. Land, housing, and spatial equality:

- Land reform should proceed by different routes: redistribution with agricultural investment and production as a priority, and with the state drawing in commodity organisations and the private sector. Expanding urban housing and services remain central to the restitution process.
- Land restitution should involve poverty alleviation accomplished through compensation and skills development.
- Existing land claims should be prioritised by government. Recognised claims should be supported with legal, financial, and agricultural means.
- Land restitution should not only be focused on title deeds, but also on the restoration of the dignity, security and cultural identities lost through dispossession.
- Efforts should be made to increase participation from the claimants of dispossession. They should receive priority access to state resources and be given the opportunity to propose solutions to fast-track restitution efforts. Communities should be seen as co-producers of knowledge and solutions instead of passive subjects.
- Environmental considerations and climate change should be at the centre of debates on land.
- Segmentation between local and national government and other stakeholders which delays progress should be resolved.
- People who never owned land due to historic injustices, such as farm workers, should be accounted for. New models and solutions should be established for finding a middle ground between property owners and workers in terms of restitution.

4. Impact of digitisation and innovation on the media, education, and epistemology:

- Restitution in the African context is not only about material redress. It acts as a vector for possibilities of a broader epistemic, cultural, and spiritual restitution process and conversation about the extraction and destruction of the African continent through colonialism and apartheid.
- Restitution should be seen as more than the return of artifacts and heritage; it is an inroad to a conversation about Africa rebuilding itself through cultural significance and restoring lost dignity.
- The discourse around restitution tends to be dominated by non-Africans. The efforts of African scholars relating to redress must be promoted, recognised, and acknowledged.

- To make restitution meaningful, the focus should be on education programmes, media literacy, access to technology, working with young people to connect to history and developing new epistemic strategies for thinking about historical injustice, cultural heritage, and identity.
- Restitution efforts in South Africa should also be cognizant of groups that have been excluded from the discourse through stigmatisation, divisive media narratives and xenophobia. Restitution cannot be seen in a narrowly nationalistic way.
- Greater investment in public media infrastructure and access to technology is needed to promote participation in the public sphere and counter the distortions of commercial media and the failures of public media and education systems.

5. Public governance, democratic leadership, and access to justice:

Access to justice is curtailed by affordability and there is a failure by the state to provide legal aid as envisaged by the Constitution.

A solution should come from a consultative approach that includes the Department of Justice, the Legal Practitioners Council, Legal Aid South Africa, and private legal practitioners to discuss the following:

- Shortcomings in the provision of legal services;
- Systems to advance alternative dispute resolution and allocate funds for pro bono litigation expenses based on a model that provides funding to cases that warrant support;
- Procedures to better categorize disputes in private law for allocation of funds and boutique practitioners;
- Inform the public on democracy, public accountability, and legal education;
- Focus on vulnerable members of society (women, children, the LGBTQ+ community, people living with disabilities);
- Involve NGOs, civil society, youth structures, etc;
- Training for customary law practitioners.

Research is needed to understand how entities such as paralegal community offices, pro bono funding, legal expense insurance, and Legal Aid South Africa are working so that the best learnings can be used to provide solutions with impact.



Cape Town Declaration on The Role of Business and Civil Society in Advancing Social Justice

Adopted at the 4th International Conference on Social Justice titled "The Role of Business and Civil Society in Advancing Social Justice".

Hosted by the Centre for Social Justice at Stellenbosch University and the Council of Social Justice Champions on 11 October 2023

We, the participants of the 4th International Conference on Social Justice, gathered at the Artscape Centre and drawn from stakeholders representing government actors, civil society, business, lawyers, academics, and international stakeholders from various continents:

Reaffirm our commitment to our shared humanity as anchored in the Universal Declaration of Human Rights, the Copenhagen Declaration, other international human rights, and social justice instruments together with relevant domestic constitutions.

Believe that social justice regarding the enjoyment of all rights and freedoms is essential for peaceful coexistence and social cohesion.

Further believe that the world has an abundance of resources that are sufficient for all to realise the full extent of their potential under a socially just and conducive environment through multi-sector partnerships involving state, business and civil society stakeholders, to yield improved quality of life in a society based on human dignity, equality and expanded frontiers of freedom for all without discrimination on any of the grounds in the Constitution, the African Charter on Human and People's Rights and the Universal Declaration on Human Rights, among others.

Note with deep concern this conference takes place amid various human tragedies, including war, that the architects of the UN Charter, Universal Declaration on Human Rights (UDHR) and the Convention on the Elimination of All Forms of Racial Discrimination (ICERD), International Labour Organisation (ILO) Conventions, among others, thought were never to be experienced by humanity again, believing that an investment in justice, including social justice, through these multilateral cooperation and normative standard setting instruments, would reward humanity with peace and that war and its odious cruelties would be history.

Further concerned that 75 years into the implementation of the UDHR systemic and structural patterns of socio-economic disparities primarily on grounds such as race, gender, age, nationality, and class remain a reality and, in some cases, a worsening reality reflected in hunger, poverty, unemployment, unequal distribution of resources and opportunities as well as lack of parity of esteem and cultures.

Further concerned over growing social fracture reflected in high levels of violence, including Gender Based Violence (GBV) in families and communities, violence, and armed conflict in other parts of the world, which has primarily claimed the lives of children and other vulnerable members of society.

Believe that business and civil society have a role and responsibility to advance social justice and that role has legal, and moral dimensions while being a pragmatic investment in an eco-system that supports human wellbeing, sustainable environments, and business growth.

Note with appreciation that business and civil society actors have stepped up to play such role by complying with labour and employment laws, corporate regulations and general laws that prohibit exploitation and those that foster remedial justice while going beyond legal compliance to combat hunger, poverty, and various forms of inequality in areas such as education, health, business ownership, social infrastructure, sports, and arts.

Note that business and civil society have been particularly central in initiatives aimed at assisting vulnerable communities during COVID-19 and other moments of distress and advocacy for human rights on a shared humanity basis.

Are convinced that deepening poverty, hunger, and inequality pose a threat to social cohesion, peace, stability, and the rule of law, while undermining sustainable development and resilient economic growth and there is an urgent need to make meaningful progress in addressing these disparities in line with the SDGs.

Reaffirm our commitment to the resolutions of the Inaugural International Social Justice Conference which took place at the Hazendal Conference Centre in 2019, among them the endorsement of the Musa Plan for Social Justice (Social Justice M-Plan), a Marshall Plan like initiative dedicated to advancing social justice in South Africa; acknowledgement of the threat that social injustice poses to sustainable development, social cohesion, peace and stability; and seizing the catalytic opportunity presented by the SDGs Agenda for Change and the opportunities available for multidisciplinary academic research to catalyse progress towards breaking the back of structural inequality and ending poverty by 2030.

Further reaffirm the link between social justice, human rights and peace and specifically the grounding of social justice in international and regional human rights treaties, such as the UN Charter, Universal Declaration of Human Rights (UNHR), International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention on the Rights of Persons with Disabilities (CRPD), Convention on the Rights of the Child (CRC), African Charter for Human and Peoples Rights (ACHPR), Maputo Protocol and subsidiary human rights and social change instruments.

Encouraged and inspired by the concrete social justice commitments and Programme of Action in the Copenhagen Declaration and Programme of Action of 1995, the SDGs adopted by the UN in 2015 as a universal call to end poverty, advance equality, foster resilient communities, protect the planet and ensure that all people enjoy peace and prosperity by 2030, the Continent's Agenda 2063 and the progress the country has made on the social justice imperatives that emerge from these and progressive domestic constitutions.

Affirm that the UDHR and related human rights normative instruments impose a duty on the Government to advance equality with a focus on equal enjoyment of all rights and freedoms including the right to equality in all aspects of the economy, and the collective and respective responsibility of all sections of society to advance social justice, particularly regarding social and economic parity while being mindful of the interconnectedness and indivisibility of human rights and freedoms.

Are encouraged by progress made since the Inaugural International Social Justice Conference, including experimental research and development work aimed at ensuring equality conscious law reform and policy design, leveraging disaggregated data for predictive impact of planned policies and laws and exploration of integration of social policy considerations on equity into data science, including AI.

But note that though it is natural that ending poverty and reducing inequality is a progressive enterprise that yields incremental progress, the direction and pace of social change in many societies, which includes the widening gap between the rich and poor and between developed and developing countries, is a major concern.

Are concerned that not enough attention has been paid to the relationship between economic policy design and wellbeing, human development, and environmental justice.

Encouraged that there is a growing acknowledgement in business and broader society that the improvement of the lives of all people, requires a private-public co-sharing relationship premised on the use of collective resources to achieve a socially just and equitable society.

Further encouraged by emerging partnerships between business, government and society that foster an environment in which business can thrive, advance SDG 10, 1, 2 and 13 and 16.

We thereby resolve to:

1. **Support the adoption** of holistic integrated Marshall Plan styled initiatives such as the Social Justice Musa Plan as a vehicle of collaboration to accelerate the advancement of social justice in all areas of life, including the family, economy, public governance, and parity of social esteem among all social groups, regardless of diversity.
2. **Collaborate** in accelerating progress on SDGs by intentionally drawing business and civil society together in their respective roles and ensuring business and civil society is committed and engaged, particularly with SDG 10 1, and 16.
3. **Scale efforts** aimed at advancing social justice through incorporating design thinking and systems thinking in law reform, policy design as well as the design of services and products in a manner that meets all groups and communities where they are while consciously advancing economic and other forms of equality and working towards ending poverty by 2030 and assisting government, business, and courts to mainstream social justice through impact foresight tools such as the SIAM.
4. **Promote greater fidelity** to human rights normative standards regarding socio-economic inclusion and participatory democracy as well as social accountability through actions that include conducting constitutional literacy, legal literacy, and economic literacy, while promoting greater transparency in government economic policy design processes and enhanced access to justice through courts and other forums.
5. **Collaborate** on research and other measures to strengthen synergy between social justice, economic growth, sustainable, development, democracy, and the rule of law.
6. **Collaborate** on assisting governments to place investment in the youth, women, rural or other marginalised communities in its SMME development, food security, social infrastructure, anti-crime measures and other interventions, particularly in the implementation of the SDG, Covid-Recovery and Just Transition agendas.
7. **Promote the realisation of social justice** through advocacy policy development directed at economic redistribution, land reform, ending corruption, promoting the rule of law, and strengthening democracy.
8. **Collaborate** on social justice research and the design of innovative tools to improve social justice responsiveness of all policy and societal actions.
9. **Initiate** integrated social justice education anchored in legal and human rights literacy plus peace building.
10. **Convene** interdisciplinary, intersectoral and transnational partnerships to work on corruption, and sustainable development and support tripartite collaboration between state, business, and civil society.

Issued by the Centre for Social Justice,
Stellenbosch University – October 2023

Cape Town Statement and Pledges

Statement and Pledges on Social Justice and Sustainable Development Goal 2 [Zero Hunger], adopted at the 5th International Social Justice Conference, Artscape Theatre Centre, Cape Town, South Africa on 17 October 2024.

WE THE PARTICIPANTS, drawn from international and local academics, lawyers, judges, civil society, diplomats, development agencies and state-based researchers who are involved in research on the intersection between hunger, social justice and human rights:

1. **Affirm** our commitment to the Global Sustainable Development Goals ("SDGs" / "Global Goals"), key for the purposes of this Statement being SDG 2: Zero Hunger ("End hunger, food security and improved nutrition and promote sustainable agriculture"), noting that:
 - a. Hunger remains a global crisis, with the United Nations ("UN") noting that only a fraction of UN Member States are on course to end hunger, while around 733 million people faced hunger in 2023, equivalent to one in 11 people globally and one in five in Africa;
 - b. Hunger is a pressing problem in Africa, with growing food insecurity in many parts of the continent, especially among those affected by crises such as political instability, violent conflict, and the impact of climate change;
 - c. Hunger is an impediment to all aspects of development, including economic and social development, while being anathema to social cohesion, the rule of law and peace, in line with the Copenhagen Declaration (1995) and the 2030 Agenda for Sustainable Development.
2. **Believe** that the right to food and adequate nutrition is a human right, as articulated in:
 - a. Article 25 of the Universal Declaration on Human Rights (1948) and Article 11 of the International Covenant on Economic, Social and Cultural Rights (1996);
 - b. the African Commission on Human and People's Rights' Resolution on the Right to Food and Nutrition in Africa (2019)
3. **Accept** that hunger is a social justice issue in that it is primarily a reality of the economically and socially deprived social classes, recognising that hunger is not about the insufficiency of nutritious food in the world, but rather about the unjust distribution of resources, resulting in the exclusion of some people from enjoying the same right to sufficient food and adequate nutrition as every other human being.
4. **Reaffirm** our belief that social justice – in terms of the equal enjoyment of all rights and freedoms in general, and in particular the right to food and adequate nutrition – is essential for peaceful coexistence and social cohesion.
5. **Further reaffirm** our enduring commitment to:
 - a. the Hazendal Resolution (2019);
 - b. the Boschendal Resolution (2021);
 - c. the Boschendal Statement (2022); and
 - d. the Cape Town Declaration (2023),
 noting that our deliberations on hunger at this Conference indeed demonstrate the range of ways in which the crisis of hunger in the world today manifests the concerns expressed in these documents.

6. **Register** our deep concern that, despite the articulated commitment by global leaders to Zero Hunger by 2030, as per the 2023 report of the UN Secretary-General assessing progress towards the achievement of the SDGs, the world is currently lagging in its progress towards the realisation of that goal.

7. **Express** our specific distress at the large numbers of people globally – especially children and senior citizens, people with disabilities and refugees – still suffering hunger and its dire consequences; noting contemporary atrocities and indignities, the legacies of historic injustices, and persisting structural inequalities that complicate efforts to guarantee accessibility, affordability and adequacy of nutrition to every human being.

8. **Note** with appreciation the investments and commitments that many different actors in society – including civil society, academia, business, governments and multilateral institutions at different levels – are making towards achieving Zero Hunger by 2030.

9. **Are encouraged** and inspired by the wealth of innovative ideas, research, strategies, models and opportunities that have already been articulated, tried and tested in a range of conditions and contexts. We believe it is imperative that these efforts be recognised, scaled up and disseminated widely.

10. **Appreciate** the importance of embracing the following principles in the different initiatives being undertaken to achieve Zero Hunger:

a. Poly-dimensionality: understanding that:

- i. Hunger and related food insecurity result from disruptions in the food security systems, including availability; access and accessibility; utilisation; and stability/sustainability;
- ii. Hunger cannot be dealt with in isolation from other SDGs and other social justice issues;
- iii. Hunger is inextricably underpinned by a range of factors such as disruptions to agriculture due to climate change, land disparities, conflict, disruptions to peace, as well as non-agricultural factors such as poverty, inequality, unemployment, corruption, systemic government failure and food wastage.

b. Intersectionality: understanding that:

- i. Hunger affects different constituencies of people differently.
- ii. A range of factors – class, gender, age, geo-social location, disabilities – influence and determine who has agency and ability to sustainably access sufficient food and adequate nutrition.

c. Subsidiarity: understanding that:

- i. Complementarity rather than competition is the essential bedrock of leveraging the range and opportunities available to the diverse actors working on Hunger at different levels and in different spaces;
- ii. No one actor or group of actors focusing on one level of action (international, regional, national, sub-national, local) can comprehensively deal with the complexity of the crisis of global hunger.

d. Vertical and horizontal equity: understanding that Zero Hunger:

- i. is not just about “people like us”, but humanity across the globe; and
- ii. is not just about the “here and now”, but committing to delivering a legacy of food security to the generations that come after us.

11. While recognising that achieving Zero Hunger is possible, we understand that it will take hard work and the determination to work together to challenge the status quo by confronting elite power structures and dismantling structural frameworks of injustice, and cultivating a culture of collaboration undergirded by ubuntu or shared humanity grounded in the belief that our sustainable future as humanity depends on no one falling beneath a dignity floor of rights, key among which is the justice of eating.

We therefore commit and pledge ourselves to the following, and to reporting back at the 2025 ISJC on progress made between now and then on the following actions:

I: Members of academia present pledge to:

- a. Collaborate on research and other measures to continue to strengthen synergies between and amongst the range of disciplines, actors and networks working on hunger;
- b. Collaborate on the development of appropriate and innovative research tools and methodologies to engage the multi-dimensional range of questions and challenges related to hunger; including design thinking and anticipatory impact assessments through instruments such as the Social Justice Impact Assessment Matrix ("SIAM") and digital accountability enhancing technologies such as blockchain;
- c. Integrate, as an imperative in education systems at all levels, the human right to food and adequate nutrition through curricula, services offered at all educational institutions, and pedagogical gaming, in all sectors including business and government;
- d. Invest in the consistent use of inclusive language and accessible media, including social media, to proactively support the centring of diverse grassroots constituencies in all aspects of the work;
- e. Document, analyse, amplify and support the scaling-up of innovative and context-appropriate evidence-based models that have demonstrated success in facilitating progress towards Zero Hunger; and
- f. Invest in prospective research to help understand and mediate the consequences of interventions (policy, legislation and strategies) that might unintentionally exacerbate the experience and impact of hunger on some constituencies while benefitting others.

II: Members of civil society present pledge to:

- a. Adopt a social justice approach to engaging the challenge of hunger in the world; in particular, inculcating a mindset that characterises hunger as a human rights violation rather than an acceptable human condition;
- b. Catalyse, support and facilitate the development and implementation of people-centred policy, legislation and strategies; taking into account the inherent complexities of the poly-dimensional nature of hunger;
- c. Provide breakthrough research and innovative policymaking tools, including anticipatory impact tools that leverage granularly disaggregated (decoupled) data to catalyse, support and facilitate policy, legislation and programmes that make food sovereignty a reality for all people;
- d. Demand, facilitate and support inclusivity for all constituencies within the society in interventions addressing hunger, through ensuring meaningful access to adequate and relevant knowledge, programmes, resources and technology; and
- e. Collaborate across different sectors within civil society and with other partners, towards addressing the four pillars of the food system and related interventions aimed at combatting food insecurity: availability; access and accessibility; utilisation; and stability/sustainability, undergirded by agency and related fostering of capabilities.

III: Members of the business community pledge to:

- a. Work proactively towards reducing wastage in the food industry to the bare minimum;
- b. Anchor business processes in fair play, characterised by fair remuneration of employees, as guided by the International Labour Organisation ("ILO") social justice guidelines, fair dealings with suppliers, and supporting social security and social assistance measures that ensure no one falls beneath a dignity floor that assures them a decent life;
- c. Invest in the complementary imperatives of eliminating hunger on one hand, and achieving food sovereignty on the other, through people-centred business strategies that foster the holistic well-being of all constituencies;

- d. Collaborate with other partners to support initiatives, policy and legislation that foster and sustain a peaceful environment for business to thrive, through engaging in tackling the persistence of food insecurity in the communities and area/s in which their businesses and/or markets are located and/or draw resources from; and
- e. Be mindful always of cultivating business practices that foster the social licence to operate in ways that are attuned to the SDGs, with special attention to Zero Hunger, and fostering self-sufficiency in communities that support the businesses.

IV. Representatives of government bodies present pledge to:

- a. Act in ways that show acceptance that governments bear the main responsibility for ensuring that no one is hungry and food-insecure in terms of their obligations under international human rights law and moral obligations under international social instruments such as the Copenhagen Declaration, the 2030 Agenda for Sustainable Development, and the Pact for the Future (2024);
- b. Mainstream social justice in food security and food sovereignty plans at all levels of government;
- c. Put people at the centre of all interventions addressing the experience and consequences of hunger, recognising and engaging the diversity of needs, priorities and contexts represented in the constituencies they serve;
- d. Adopt transformative policy and law reform initiatives, including anticipatory assessment tools that predict the likelihood of intended laws, policies and programmes that exacerbate hunger, poverty and inequality;
- e. Prioritise addressing the systemic causes of hunger in state interventions, as opposed to focusing on alleviating the symptoms, including identifying and mitigating inequalities relating to gender, age, disability, nationality, geographic disadvantages and climate change;
- f. Adopt a multi-sectoral approach to achieving SDG 2, recognising the complex web of relationships, issues, constituencies, levels and contexts that must be strategically integrated into food security and food sovereignty plans;
- g. Approach food insecurity as a multi-dimensional challenge that demands addressing the food security system: availability; access and accessibility; utilisation; stability/sustainability;
- h. Invest in the development, initiation, amplification and scaling-up of evidence-based, context-appropriate and people-centred strategies that facilitate sustainable progress towards achieving SDG 2;
- i. Collaborate with other partners to foster and sustain the holistic peace that is critical to the achievement of Zero Hunger by 2030 through policy, legislation, and funding programmes that foster expanded capabilities and social assistance;
- j. Integrate prospective thinking into the development and implementation of Zero Hunger initiatives, thus making anticipation and mediation of adverse consequences, especially on vulnerable constituencies, a norm in the planning and preparation of related strategies and approaches; and
- k. Dedicate adequate resources, including financial and human, to the achievement of Zero Hunger for the range of constituencies they serve.

V. Representatives of multilateral institutions and the international community present pledge to:

- a. Initiate, support, facilitate and amplify interventions such as policy, legislation and international conventions that work to create regional and global platforms of action on the range of systemic issues directly and indirectly related to hunger;
- b. Integrate prospective thinking into the development and implementation of all bilateral and multilateral strategies and initiatives designed to make Zero Hunger a reality by 2030, taking care to ensure that vulnerable communities do not inadvertently further suffer adverse consequences from initiatives that benefit others;

c. Advocate for and support a poly-dimensional collaborative approach in making Zero Hunger a reality, working with the range of available partners to responsibly utilise available resources and impact as effectively and efficiently as possible;

d. Champion Africa's peoples, needs, priorities, resources, actors and sovereignty in designing, supporting and implementing the range of initiatives necessary to the achievement of SDG 2 by 2030, given the still alarming current data on the levels and impact of hunger on the continent.

12. As peace-loving citizens of the world, recognising the imperative of taking personal responsibility for the achievement of SDG 2, each individual present undertakes to:

a. Articulate a personal pledge towards a specific action to be implemented before the 2025 ISJC; and

b. Account for the progress made towards completing this action at the 2025 ISJC.

13. We therefore authorise the CSJ to collect pledges from among us and others which affirm our acceptance that hunger is a social justice issue that we pledge to tackle urgently through action, undergirded by the belief that hunger is a threat to our shared humanity and everyone's responsibility. We therefore commit to take, scale and connect actions that will end hunger by 2030.

14. We further resolve to bequeath to our descendants, regardless of who they are and where they live in this world, a world where Zero Hunger is a reality and social justice thrives.

5th International Social Justice Conference

17 October 2024

Cape Town



Cape Town Declaration on Social Justice, Food Security and Peace in a Turbulent World: Advancing Food Justice and Climate Resilience in Pursuit of Equality, Solidarity and Sustainable Development (2025)

6th International Social Justice Conference | 15–16 October 2025 | CTICC, Cape Town, South Africa

Preamble

As participants of the 6th International Social Justice Conference, convened by the Centre for Social Justice at Stellenbosch University in partnership with the United Nations South Africa, Government and other partners, gathered in Cape Town under the theme:

"Social Justice, Food Security and Peace in a Turbulent World: Advancing Food Justice and Climate Resilience in pursuit of Equality, Solidarity and Sustainable Development."

Mindful of the Universal Declaration of Human Rights (1948), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Copenhagen Declaration on Social Development (1995), the Sustainable Development Goals (2015) and General Comment No. 12 (1999) of the UN Committee on Economic, Social and Cultural Rights (CESCR General Comment 12), which affirms the right to adequate food as essential to human dignity and requires states to respect, protect and fulfil this right;

Encouraged by CESCR General Comment 12's assertion that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights. It is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all.

We:

Note with concern the insufficient correlation between global and domestic commitments on food security and actual outcomes, particularly the persistence of hunger, malnutrition and inequality in a world of plenty;

Are alarmed that despite global commitments and guardrails against the instrumentalisation of starvation as a weapon of war—prohibited and expressly designated as a war crime under international law—such violations are occurring with impunity in several ongoing conflicts. Even where international agencies have condemned these atrocities, perpetrators have faced neither consequences nor cessation of the conduct.

Are concerned that lack of adequate progress on global and domestic commitments to the right to food, food security and freedom from hunger poses a threat to the rule of law and social cohesion. This failure also poses major threats to global and domestic food security systems, thereby undermining food security and the realisation and sustainable fulfilment of the right to adequate food.

Recognise that hunger is not a failure of charity but a failure of justice, and that food security is inextricably tied to equality, peace and climate resilience.

Believe as guided by General Comment 12 that fostering food security and ending hunger in pursuit of the right to food, social justice and sustainable development, is as much a legal and shared humanity ethical obligation for which all have responsibility, be they state, society or global governance actors, with each responsibility dependant on the place of each actor in the power relations that determine food systems;

Further believe that although law is not a panacea for everything, comprehensive legislation that clarifies the rights and duty bearers regarding the right to adequate food, while guard-railing the food security system covering production, distribution, consumption and sus-

tainability, including sustainability for future generations, can improve clarity on rights and responsibilities while strengthening accountability;

Note global green shoots that are turning the tide on respecting, protecting and fulfilling the right to food and freedom from hunger and the link of same to climate resilience and peace, exemplified at global governance level by the United Nation's social development pronouncements on food justice and hunger, the International Labour Organisation's (ILO) integration of food justice in its 2025 State of Social Justice and the G20's integration, while at country level, countries such as Brazil are role models on possibilities against hunger in our increasingly turbulent world;

Commit ourselves to play our respective individual roles to respect, protect and fulfil the right to food through transformative food governance actions, and through legal and voluntary philanthropic actions that include the following:

1. Inadequate legal guardrails on fostering the right to food and preventing hunger

- Address the paucity of comprehensive and integrated legislation that sets clear standards and accountabilities on the right to food and related food security and freedom from hunger;
- Ensure that where the right to adequate food is violated, there is clarity on responsible duty bearers, in addition to access to justice constraints for rights vindication, and the absence of clear remedies in some situations, such as the instrumentalisation of starvation as a weapon of war;
- Leverage the educational power of the law to shift values, transform global and domestic food systems and ensure accountability in ways that are outcomes-driven and leave no one behind;
- Support countries that do not have the capacity to undertake the law reform process necessary for a comprehensive integrated law on food security in pursuit of the right to adequate food and freedom from hunger for all groups, including rural communities;
- Foster a universal practice of pre-assessing and preventing disparate distributive impacts of laws that exacerbate hunger, poverty and inequality while undermining solidarity, climate resilience and sustainability.

2. On Hunger, Poverty and Inequality

- Address hunger and its drivers such as inequality, exclusion and poverty;
- Foster food sovereignty as a pathway to sustainable livelihoods and social liberation, thereby encouraging freedom to produce, access and share food in ways that reflect households and communities' ecological knowledge, cultural identity and economic agency;
- Support initiatives aimed at addressing the urgent need to reduce child stunting (29.5%) and deaths from malnutrition;
- Support anti-corruption initiatives, convinced that corruption exacerbates the undermining of policy choices that foster food security while siphoning state resources that could foster socio-economic development necessary to undergird food security;
- Encourage the statutory recognition of informal traders as food system actors;
- Address exclusion of children with disabilities from education as a driver of poverty and hunger;
- Highlight, as noted by CECSR General Comment 12, that hunger, which is a negation

of the right to food, presents a barrier to the enjoyment of other human rights, such as the right to education, while lack of progress on other human rights, such as the right to education, undermines the ability of persons and communities to feed themselves;

- Mobilise Business to play their part in preventing food waste, overpricing of food and ensuring fair pay as advised by the ILO.

3. On War, Peace and Human Security

- Discourage and condemn the weaponisation of hunger as a crime against humanity by all just and peace-loving people;
- Promote an understanding that freedom is incomplete without freedom from hunger;
- Foster a process that embeds the Ubuntu philosophy into governance, law-making and education as a foundation for solidarity and peace;
- Ensure that young people and women are placed at the centre of decision-making and actions in food justice and peacebuilding.

4. On Climate Justice and Sustainable Food Systems

- Foster a recognition that climate change is a constitutional and developmental justice issue;
- Ensure all decisions are informed by an understanding that food sovereignty is inextricably intertwined with food security, particularly as the world becomes increasingly turbulent;
- Encourage and support climate-responsive governance, participatory energy and land law reform, gender-responsive climate action, and safeguards against elite capture in carbon markets;
- Take action to prevent the erosion of indigenous knowledge and seed systems, through climate shocks, land dispossession and commercial monopolisation that threatens biodiversity, community resilience and the realisation of the right to adequate food;
- Protect and integrate these systems into national and global food governance, to advance sustainable and equitable food security.

5. On Land Rights, Agriculture and Access to Adequate Food and Nutrition

- Promote an understanding of the interconnectedness of rights relating to land, water, agriculture and the environment, rooted in international human rights treaties such as the ICESCR and domestic constitutions, such as South Africa's;
- Encourage urgent statutory reform and coordinated governance to secure land rights, strengthen small-scale and rural agriculture and ensure post-settlement support after expropriation;
- Leverage social impact-conscious law reform to secure customary tenure and recognition of indigenous rights that perpetuate exclusion and undermine food sovereignty and dignity;
- Mindful of the interdependence between human and animal health, ensure updated legal and policy frameworks regulate intensive farming and protect sustainable food systems.

6. On Global Solidarity and Partnerships

- Understanding that no one country can end hunger in isolation, draw on lessons from Brazil (political will and councils), Japan (legal framework), China (transformative governance centring poverty) and ICJ (agrarian reform, corporate accountability);
- Urge South–South cooperation and a global alliance, interdisciplinary research and global solidarity;
- Drive the design of a Model Law process as part of South Africa's G20 legacy, building on Brazil's precedent.

Resolution

We therefore resolve to adopt this statement as the Cape Town Declaration on Social Justice and Food Security (2025), to serve as our social compact, guiding us as we do the following;

1. Codify food security commitments into enforceable legal obligations by drafting and adopting a Model Law on Food Security, Nutrition and Hunger, guided by ICESCR, General Comment 12 and comparative lessons;
2. Form a Steering Committee and Reference Group to lead this drafting process, ensuring inclusivity across government, academia, civil society, private sector, youth and affected communities;
3. Invite President Ramaphosa to champion this initiative, both domestically and globally, positioning it within the G20, AU, BRICS and UN platforms as part of South Africa's international legacy;
4. Ensure that the Model Law process is outcomes-driven, accountable and transformative, aligning with SDG 2 and designed to leave no one behind;
5. Encourage business pledges on fair commerce, incorporating fair pay to employees and suppliers, fair food pricing and the prevention of food waste;
6. Transmit this Declaration to the South African Government, African Union, United Nations, G20 and other relevant global platforms;
7. Call on all stakeholders to act with urgency so that by 2030, no person goes hungry in a world of plenty.

Closing Affirmation

"Food justice cannot wait. Hunger is not an accident but a systemic injustice. By codifying commitments into enforceable obligations and leveraging the educational power of law, we commit to transforming food systems so that they deliver outcomes, accountability, and dignity for all. Ending hunger is the cornerstone of a just, equal, and sustainable world. As long as there is injustice somewhere, there cannot be sustainable peace anywhere."

Adopted in Cape Town, South Africa — 16 October 2025

Centre for Social Justice (CSJ)

Our Vision

To be a partner of choice on social justice research, public policy design, training, education and monitoring and evaluation to advance social justice.

Our Values

- Excellence
- Compassion
- Accountability
- Respect
- Equity

Our Mission

A centre of excellence on research, innovative policy design tools, training and advocacy to promote social justice scholarship and consciousness, public policy design skills and collaboration in academia and society to accelerate social justice transformation.

What is Social Justice?

The work of **Centre for Social Justice (CSJ)** is undergirded by the understanding of **social justice** as justice concerned with embracing the humanity of all, through the equal enjoyment of all rights and freedoms by all, mindful of human diversity and disadvantage. This should be reflected in the just, equitable and fair distribution of all opportunities, resources, benefits, privileges and burdens in and between societies. Simply put, social justice is fairness to all social groups with none subjected to unfair disadvantage or unfairly advantaged. The CSJ leverages research, innovation, training and advocacy to accelerate the pace of advancing social justice focussing on rupturing structural inequality and ending poverty by 2030 in line with the global Sustainable Development Goals (SDGs), AU Agenda 2063 and National Development Plan (NDP) objectives.

5 CORE STRATEGIC OBJECTIVES

Social Justice Academic Scholarship

Anchor social justice as an academic discipline through research, teaching, and public policy skills development such that it is positioned as an internationally recognised thought leader in this space.

1. Research on Social Justice and Mainstreaming Social Justice in Law & Policy
2. Innovation – Data Science for Equity Attuned Social Policy Design, e.g Social Impact Assessment Matrix (SIAM) and Pedagogical Gaming
3. Teaching on Social Justice and the Law, Ethics, Administrative Law, Constitutional Governance and Leadership
4. Social Justice Conferences & Conference Papers (e.g annual International Conference on Social Justice)

Transformative Social impact in Higher Education

Support the achievement of a transformative student experience and of Stellenbosch University as an employer of choice.

5. Social Justice Cafés
6. Student Debt Fundraising Project - **#Action4Inclusion**. Advocacy and Advice on Transformation of Higher Education





Musa Plan for Catalytic Social Impact in Society

By way of an integrated Musa Plan for Social Justice (Musa Plan) aimed at catalysing social and economic inclusion through research for impact, integrating data science and purposeful partnerships.

- 7.** Advocacy on Law and Policy Reform Through Policy Briefs & Draft Legislation Submissions
- 8.** Foster Social Accountability and Social Cohesion Through Legal and Constitutional Literacy
- 9.** Cultivate Social Justice Attuned Leadership Through Advocacy, Summits, Dialogues and Social Justice Champion Awards
- 10.** Resource Mobilisation for Musa Plan to Foster Inclusion and Resilient Communities Anchored in SDGs/NDPs/Enterprising Communities Frameworks
- 11.** Coordinate Social Justice Musa Plan Leadership & Management Structure (SJEMPLM)

Sustainability

- 12.** Mobilise Resources for CSJ Research and Innovation
- 13.** Institutional Development and Governance Plus Secretariat to the SGB

Collaboration, Coordination and Internationalisation

Facilitate collaboration around social justice issues and community access to social justice resources through a globally respected innovation centre on social justice.

- 14.** Coordinate Establishment and Maintenance of Social Justice Centres of Excellence
- 15.** Social Justice Hub (Open Access Resources), Fellowships and Partnerships

Centre for Social Justice (CSJ) **Vision 2030**

Resource Mobilisation

Mobilise societal, corporate, and international support and resources towards accelerated reduction of poverty and inequality by 2030.

Law and Policy Reform

Foster law and policy resonance with social justice and constitutional objectives through advocacy on law and policy reform through policy briefs & draft legislation submissions and empowering policy- and lawmakers to leverage data science to catalyse social justice and SDG responsive law and policy reform.

Musa Plan Purpose

The **Musa Plan for Social Justice** (Musa Plan) is a Marshall Plan-styled social justice accelerator project that seeks to catalyse progress toward social justice, focusing on ending poverty and breaking the back of structural inequality by 2030 through a partnership for social justice in pursuit of the constitutional social justice commitment, relevant goals in the National Development Plan (NDP), Agenda 2063 and the Global Sustainable Development Goals (SDGs). Named after **Palesa Musa**, a former child activist who was detained and placed in solitary confinement during the 1976 June 16 student uprising and whose life when discovered in 2017 epitomised the chasm between the dreams that underpinned the anti-apartheid struggle and the reality of most despite the constitutional commitment to social justice.

Democracy Leadership and State Capacity

Cultivate social justice attuned leadership through advocacy, summits, dialogues and Social Justice Champion Awards to foster ethical and democracy attuned leadership among all and contribute to building a strong capable state.

Social Accountability and Social Cohesion

Foster social accountability and social cohesion through legal, human rights and democracy awareness and empowerment initiatives.

Council of Social Justice Champions

Coordinate work of the Council of Social Justice Champions, including the Social Justice Champion Awards.

Musa Plan for Social Justice (Musa Plan)

What is the problem?

With 30 years into democracy, South Africa has made significant strides to bring about tangible change to the state. Undoing the unjust laws and systems that plagued South Africa under Apartheid rule and worsening inequality is an extensive process.

Research shows that despite employment equity and black economic empowerment legislative interventions, inequality along the contours of past legislated racial and gender injustice remains structural and systemic in all areas of life. It also shows that the project of healing the divisions of the past is floundering, while economic growth remains hamstrung by the structural inefficiencies of having the bulk of the population left behind. It is further in recognition of the fact that as long as there is injustice somewhere there cannot be sustainable peace anywhere.

How is the Musa Plan contributing to social justice?

The **Musa Plan** seeks to catalyze the ending of poverty and breaking the back of structural inequality by 2030, in support of the National Development Plan (NDP), Agenda 2063 and the UN Sustainable Development Goals (SDGs). The **Musa Plan** is a Marshall-Plan-like social justice accelerator programme, aimed at fostering inclusive development and national unity to advance social justice while anchoring and safeguarding constitutional democracy.

Partner with us to implement the Musa Plan

We are asking potential donors to partner with the Centre for Social Justice (CSJ) on the Musa Plan as we believe that the success of this plan will not only positively affect the microcosm of Stellenbosch, but also the greater South Africa. The Musa Plan has the potential to not only eradicate poverty but also lessen the gap of inequality, making life accessible and sustainable for all.

What are the priorities of the Musa Plan?

The **Musa Plan** has four key result areas:

- **Fostering Law and Policy Resonance with Social Justice and Constitutional Objectives:** Empower policy- and lawmakers to leverage data science to catalyse social justice and SDG responsive law and policy reform.
- **Cultivating Social Accountability and Social Cohesion:** Foster social accountability and social cohesion through legal, human rights and democracy awareness and empowerment initiatives.
- **Resource Mobilisation:** Mobilise societal, corporate, and international support and resources towards accelerated reduction of poverty and inequality by 2030.
- **Strengthened Democracy Leadership and State Capacity:** Encourage ethical and democracy attuned leadership among all and contribute to building a strong capable state.



Honouring Palesa Musa

The name **Musa Plan for Social Justice** is in honour of Palesa Musa, an anti-apartheid child activist who was part of the June 16 unrest in 1976. She was arrested, detained and tortured for challenging the apartheid government. Today, Musa serves as a reminder of how the shadow of the past influences the present.

She is one of millions of people in South Africa who feel that democracy has failed them in that the constitutional promise of freed potential and improved quality of life has not yet reached them.

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Global Coalition
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