



Expert Roundtable: A project of the Law Trust Chair in Social Justice, Faculty of Law, Stellenbosch University, in collaboration with Blavatnik School of Government, Oxford University

Programme Pack

Gender Expert Roundtable: *“Gender, Accountability and Corruption: Towards a Decade of Accelerating Gender Equality Progress Through Accountability and Combatting Corruption in the Post-Covid-19 and SDG Agenda”*

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28 August 2020, Digital event taking place on Microsoft Teams

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The shortened link is as follows: <https://bit.ly/3aRGzUe>

I Purpose

The broad objective is to reflect on progress made in advancing gender equality and explored challenges and prospects for accelerated progress in the next decade focusing on corruption, accountability, and customary law and opportunities presented by the Sustainable Development Goals (SDGs) and the COVID-19 recovery agenda.

II Objectives

With this gender expert roundtable, the Law Trust Chair in Social Justice aims to:

1. Assess the impact of the Constitution of the Republic of South Africa, 1996 (Constitution) on women’s human rights, particularly women living under customary law and those impacted by gender-based violence (GBV) and poverty.
2. Consider the impact of corruption on advancing gender equality, particularly in the face of COVID-19 state procurement and social and economic relief delivery.
3. Explore analytical tools for aligning policy, legislative, regulatory, and jurisprudential interventions with international, including SDG, constitutional and legislative social justice commitments.
4. Develop and adopt a policy brief on accelerating the advancement of gender equality and ensuring that no woman or girl is left behind in the next decade, which should be the Social Justice Decade.

III Outcomes

The outcome of the gender expert roundtable will be to emerge with a policy brief highlighting the ways in which corruption exacerbates gender inequality and how to achieve greater

accountability that advances women's constitutional rights in the development of programmes and projects, in line with the National Development Plan (NDP), Agenda 2030 and the SDGs.

IV Background

The Expert Roundtable on Gender is a project of the Social Justice Chair at the University of Stellenbosch, which forms part of a suite of activities and projects aimed at mobilising the nation and the global community around a Musa Plan for Social Justice (M-Plan), a Marshal Plan like Integrated Programme of Action for accelerated social justice advancement to end poverty and break the back of structural inequality by 2030 in the pursuit of SDGs and NDP objectives. The Social Justice M-Plan is named after Palesa Musa who, arrested as a child on June 16, 1976, is poor today despite having fought for freedom and continuing to work hard.

The Social justice Chair has hosted several roundtables that have generated ideas on critical challenges of our time, including the land question and policy responses to the COVID-19 pandemic. The Outcomes include policy briefs submitted to Parliament and the Presidency on land and the COVID-19. One of the events under the Chair and the Social Justice M-plan was a Social Justice Summit in 2019, to which the President was invited and delegated Minister of Planning, Monitoring and Evaluation, Hon Jackson Mthembu to do so on his behalf. On behalf of government, Minister Mthembu endorsed the Social Justice M-Plan together with all stakeholders that participated at the Summit, among them business.

This roundtable takes place at a time when the nation, the continent and the world are confronting the novel COVID-19, which has disrupted life as we know it with women bearing the brunt. This comes as nations were grappling with the challenge of accelerating progress on SDGs including SDG 4 on Achieving Gender Equality while confronting the unintended impact of the Fourth Industrial Revolution on women and others that have been left behind in respect of the equal enjoyment of many human rights and freedoms. Nations were also grappling with the impact of factors such as GBV, corruption, climate change, forced migration and stunted economic growth on women, girls and gender unassigned groups. There is also an emerging consensus on the negative impact of racism on women, exacerbating intersectional disadvantaged for affected groups of women.

The roundtable has been preceded by several recent studies that usher in a glimmer of hope by modelling the benefits of investing in women and advancing gender equality to business and society. Some of these studies clearly indicate that corruption has a disparate impact on women and girls thus undermining gender equality. An insufficiently explored territory in this regard is the life of women living under customary law, left behind not only because of corruption. In addition to being hamstrung by the inertia that comes from accumulated social disadvantages as a consequence of past unjust laws, women under customary law bear the brunt of policy and consequent legislative choices that fail to use predictive data analytics to pre-assess impact on women and other historically disadvantaged groups thus lack the differentiation necessary for responsive governance.

On the other hand, evidence points to advancing women and ensuring their representation at all levels of decision-making in all areas of life is a major antidote to corruption. Research also points to the positive contribution that enhances public accountability can make toward combatting corruption, ineptitude and indifference in public service delivery, including programmes and projects in the pursuit of the Covid-19 Recovery quest and SDGs in the next decade.

The roundtable further takes place as the World Bank, Statistics SA and other agencies have found South Africa to be one of the most unequal societies in the world. At the onset of COVID-19, Statistics SA estimated poverty to be at 55.5% across all groups and 64.2% among those classified as Africa. The statistics further show women to be lagging behind men economically with African women and other women hamstrung by intersectional disadvantage being at the lowest socio-economic rungs of society. Early indications from studies by the Human Sciences Research Council (HSRC) and the National Income Dynamics Study – Coronavirus Rapid Mobile Survey (NIDS-CRAM) of South Africa 2020 show that the COVID-19 regulatory impact and socio-economic relief provisioning are widening the gender gap.

V Stakeholders

Government, women, business, civil society, including the faith community and trade unions, and the international community are all key stakeholders in this initiative. These groups must be mobilised to join hands in remedying corruption, ensuring accountability and cocreating pathways that will accelerate progress toward ending poverty and advancing gender equality in the next decade in pursuit of a socially just world.

PROGRAMME

Gender Expert Roundtable: *“Gender, Accountability and Corruption: Towards a Decade of Accelerating Gender Equality Progress Through Accountability and Combatting Corruption in the Post-Covid-19 and SDG Agenda”*

Friday, 28 August 2020

Programme Director: Basetsana Kumalo (Entrepreneur, Philanthropist and Author)

09:00 – 9:05: **Short video on the Social Justice Chair and its activities, including the Social Justice M-Plan and SCOPRA (5mins)**

09:05 – 10:00: **Welcome and Opening Remarks**

Welcoming address: Prof Koopman (Vice-Rector: Social Impact, Transformation and Personnel) Welcome (10 mins)

Opening Remarks: Prof Thuli Madonsela (Social Justice Chair, SU and M-Plan Convenor) (15 mins)

Opening Remarks:

Prof Jonathan Wolff (Alfred Landecker Professor of Values and Public Policy and Governing Body Fellow at Wolfson College, Oxford University) “Philosophical approaches to social justice and integrity” (15 mins)

Dr Anna Petherick (Departmental Lecturer in Public Policy and Researcher, Building Integrity Programme, Blavatnik School of Government, Oxford University) “Empirical knowledge about gender, accountability and corruption” (15 mins)

10:00-10:40 Keynote Address

Ms Mmabatho Ramagoshi (Chief Advisor to Minister Maite Nkoana-Mashabane, Minister of Women in the Presidency) (20 minutes)

Kate Roberts (Co-founder, One Young World) (20 minutes)

10:40-10:50 Concluding Observations

Prof Nicola Smit (Dean of Law, SU) (10 mins)

10:50 – 11:15: Group Photograph (Digitally - ask participants to switch on cameras)
Tea, Coffee Break (25 mins)

11:15 – 12:45: Plenary I (Will include a discussion involving participants) (1h30 mins)
“The relationship between gender, corruption, accountability and advancing equality”

Keynote address: Elizabeth Andersen (World Justice Project (WJP) Executive Director) (20 mins) “The Rule of Law, Corruption, and Justice for Women”

Panellists: (10 mins each)

- Prof Cathi Albertyn (Professor of Law and South African Research Chair in Equality, Law and Social Justice in the School of Law, Wits) “The relationship between gender, corruption, accountability and advancing equality”
- Dr Choice Makheta (Senior Director of the Division for Student Affairs, SU) “Advancing equality and accountability in education from students to executive leadership”
- Dr Monica Kirya (Senior Program Advisor at the U4 Ant-Corruption Resource Centre) “Stopping the abuse of public power to obtain sexual favours: policy, legislative and administrative challenges.”
- Discussion (40 mins)

12:45 – 13:30 **Lunch break** (45 mins)

Afternoon Session

13:30 – 14:45 **Plenary II** (1h15 mins)

Moderators: Basetsana Kumalo and Dr Anna Petherick

Keynote address: Busisiwe Mavuso (CEO, Business Leadership South Africa) (20 mins)
“Corruption, accountability and social justice in the economy”

Panellists: (10 mins each)

- Dr Vuyo Mahlati (President of African Farmers Association of South Africa (AFASA))
“Accountability, corruption and women’s rights regarding land”
- Ms Judy Gitau (Equality Now, Regional Coordinator, Africa) “The Africa Free Trade Agreement: Corruption Accountability and social justice for women”

14:30 – 14:45 Discussion (50 mins)

14:45 – 15:00 Short break (15 mins)

15:00 – 16:00 **Parallel sessions based on 4 themes: Kindly choose one of the links below to join parallel session 1, 2 or 3. Parallel session 4 will remain on the same link as the main event**

1. Assess the impact of the Constitution on women’s human rights, particularly women living under customary law

Follow this link to join panel 1:

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Facilitator: Nolundi Luwaya (Director of Land and Accountability Research Centre (LARC))

Panellists (20 mins) (2 x 10 mins)

- Prof Elmien du Plessis (Associate Professor at the Faculty of Law, NWU) “Women's rights in land and customary law”
- Mandisa Shandu (Executive Director, Ndifuna Ukwazi) “Addressing urban inequality: opportunities for resistance”.
- Discussion (40 mins)

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2. Consider the impact of corruption on advancing gender equality, particularly in the face of Coronavirus COVID-19 state procurement and social and economic relief delivery

Follow this link to join panel 2:

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Facilitator: Advocate Xoli Maduna (Chairperson, ThuMa Foundation)

Panellists (30 mins) (3 x 10 mins)

- Motlatsi Komote (Research and Advocacy Officer, Women and Democracy Initiative, Dullah Omar Institute, University of the Western Cape) "Corruption and its Effects on Women"
 - Amanda Jane Wilde (CG of the first Broad Based Economic Integration Co in SA (Umsinsi Health Care) "Reducing corruption in the health sector: The Constitutional provision for cost-effectiveness as an essential element of our procurement system"
 - Prof Amanda Gouws (Distinguished Professor of Political Science, SU) "Gender Equality and State Capture"
 - Discussion (30 mins)
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3. Assess the impact of the Constitution on women's human rights impacted by Gender Based Violence (GBV) and poverty

Follow this link to join panel 3:

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Facilitator: Me Marthe Muller (Chief Executive Officer of South African Women in Dialogue)

Panellists (20 mins) (2 x 10 mins)

- Basetsana Kumalo (Entrepreneur, Philanthropist and Author)
 - Sheena Swemmer (Head of Gender Justice, Centre for Applied Legal Studies (CALS), UJ) "Sexual violence cases, customary law damages and the constitution"
 - Discussion (40 mins)
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4. Explore analytical tools for aligning policy, legislative, regulatory and jurisprudential interventions with international, including SDG, constitutional and legislative social justice commitments

This panel remains on the original link

Facilitator: Prof Madonsela (Designing of tools, what tools are available, what is the value of each tool, how do we integrate these tools)

Panellists (20 mins) (2 x 10 mins)

- Jayna Kothari (Executive Director of the Centre for Law and Policy Research in Bengaluru, India and Counsel practicing in the Supreme Court, India) What has been the impact of SJ provisions in the Constitution? How did the courts interpret this?)
“The Indian Constitutional provisions on social justice and court jurisprudence for interpreting these provisions with regards to everyday justice”
- Dr Anna Petherick (Departmental Lecturer in Public Policy and Researcher, Building Integrity Programme, Blavatnik School of Government, Oxford University)
“International policies, commitments and treaties pertaining to gender and/or corruption, and opportunities for a more joined-up approach to both reducing corruption and improving gender equality.”
- Discussion (40 mins)

16:00 – 16:15: Tea and Coffee break (15mins)

16:15 – 16:50: **Final plenary session:** (Adoption of key resolutions to be captured in a Statement and Policy Brief) (35 mins)

16:50 – 17:00: **Final words:** Prof Thuli Madonsela (10 mins)