

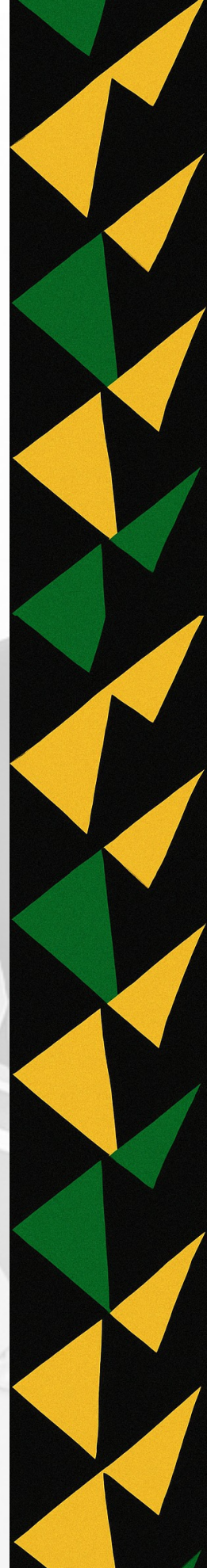
# **Proposals for Equitable Democratic Transformation and Modernisation of Governance and Law, to Address Persistent Challenges in South Africa**



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# Contents

1. Preface	4
2. Executive Summary	6
3. Contract Fairness and Digital Rights Reform	9
4. Citizen Rights and Consumer Rights Reform Proposals	15
5. Democratic Governance for a Capable State	21
6. Infrastructure for Justice—Access, Sustainability and Empowerment	27
7. Ending Procurement Capture—An Insider’s Blueprint for Accountability	31
8. Justice with Dignity—Balancing Accountability, Equity, and Structural Repair	34
9. Transport Justice—Safe, Fair, and Rational Roads for All	39
10. Dignity, Health, and Reality—Toward Humane Health Regulations	44
11. Economic Inclusion and Job Creation Proposals	51
12. Land Justice, Productive Use, and Mineral Sovereignty	59
13. GBV, Sexual Offences, and Digital Protection Reform	63
14. Safeguarding Democracy from Militarised Governance	68
15. Education Reform and Curriculum Modernisation Proposals	71
16. Summary and Conclusion	77
17. References	78



Acronym	Expansion
<b>4IR</b>	Fourth Industrial Revolution
<b>AGSA</b>	Auditor-General of South Africa
<b>APP</b>	Annual Performance Plan
<b>AU</b>	African Union
<b>CAPS</b>	Curriculum and Assessment Policy Statement
<b>CIPC</b>	Companies and Intellectual Property Commission
<b>CPI</b>	Consumer Price Index
<b>CRL</b>	Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
<b>DBE</b>	Department of Basic Education
<b>DSD</b>	Department of Social Development
<b>DG</b>	Director-General
<b>DHET</b>	Department of Higher Education and Training
<b>DPME</b>	Department of Planning, Monitoring and Evaluation
<b>DTIC</b>	Department of Trade, Industry and Competition
<b>GBV</b>	Gender-Based Violence
<b>GDP</b>	Gross Domestic Product
<b>HNWIs</b>	High Net-Worth Individuals
<b>HOD</b>	Head of Department
<b>ICAP</b>	Integrated Civic Access Point
<b>ICT</b>	Information and Communication Technology
<b>IEC</b>	Independent Electoral Commission
<b>ISP</b>	Internet Service Provider
<b>LO</b>	Life Orientation
<b>MOU</b>	Memorandum of Understanding
<b>NDP</b>	National Development Plan
<b>NDR</b>	National Democratic Revolution
<b>NHI</b>	National Health Insurance
<b>NPC</b>	Non-Profit Company
<b>NPO</b>	Non-Profit Organisation
<b>NSFAS</b>	National Student Financial Aid Scheme
<b>NSG</b>	National School of Government
<b>PBO</b>	Public Benefit Organisation
<b>PIC</b>	Public Investment Corporation
<b>POPIA</b>	Protection of Personal Information Act
<b>PPP</b>	Public–Private Partnership
<b>RAF</b>	Road Accident Fund
<b>RPL</b>	Recognition of Prior Learning
<b>SAQA</b>	South African Qualifications Authority
<b>SARS</b>	South African Revenue Service
<b>SCOPA</b>	Standing Committee on Public Accounts
<b>SLA</b>	Service Level Agreement
<b>SONA</b>	State of the Nation Address
<b>SMART</b>	Specific, Measurable, Attainable, Relevant, and Time-Bound
<b>TVET</b>	Technical and Vocational Education and Training
<b>UIF</b>	Unemployment Insurance Fund

## 1. Preface

These are a series of ideas that have been put to the author by various people over the years, or concepts that the author has devised, as a result of observing politics and internal government workings over the last 10 years, particularly in the light of our recent elections and the ANC's poor showing.

These proposals are not official ANC policy nor is the author aware which of them have been proposed before, or which are already in the process of being established. If so, the author apologises for inadvertently not giving anyone credit for their ideas.

It is apparent that the ideas align with ANC policy to a large extent. The content tries to avoid “neoliberal” ideas (e.g. privatisation). In some cases there may be some proposals that sound “neoliberal”. In such cases, it is the hope that on consideration, the proposal is found to actually be in line with the concept of the National Democratic Revolution — in the interest of the upliftment of the masses — rather than enrichment of a select few.

The author therefore submits the below for consideration by the relevant bodies, in the hope that some of these proposals will be accepted or proposed as Private Members Bills in terms of section 73 of the Constitution.



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OR GOVERNMENT PUBLICATION.

THIS IS NOT A FINAL DRAFT AND  
IT HAS NOT BEEN COMPLETELY  
CHECKED.





## Executive Summary

## 2. Executive Summary

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### Purpose

This document outlines a bold, systemic policy framework for post-colonial social justice, aimed at dismantling apartheid-era legacies, modernising public service, and redistributing opportunity with democratic oversight. It is intended as a reference point for progressive lawmakers globally—especially those facing growing inequality, digital authoritarianism, and corporate capture.

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### Key Themes

- **Economic Equality:**  
Capping executive pay, enforcing mandatory internships, expanding unemployment insurance and income grant access, and streamlining tax for low-income self-employed citizens.
  - **Education for Liberation:**  
Universal digital education access, micro-accreditation, decolonised syllabi, reintroduction of trades outside of specialised schools, compulsory digital and financial literacy, and 4IR college development.
  - **Gender-Based Justice:**  
Comprehensive Anti-Gender Based Violence (GBV) legislation including protection centres, restraining orders, offender registries, and data privacy rights in intimate relationships.
  - **Digital Sovereignty:**  
Rejection of closed-source software in mission-critical systems; establishment of digital infrastructure independent of tech monopolies.
  - **Civilian Control of the Military:**  
No war without referendum; end to military policing of civilians; martial law requires parliamentary assent; military repurposed for public service.
  - **Democratic Housing, Labour & Migration Policies:**  
Support for High Net Worth immigration (targeted to the Global South diaspora), anti-redlining land reform, reform of foreign ownership.
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### Framing

Rather than centring neoliberal 'efficiency', these proposals foreground **human dignity**, **institutional accountability**, and **grassroots empowerment**—aligned with the ideals of democratic socialism and the South African 1955 Freedom Charter.

This document is intended as a coherent legislative architecture to **defang corruption**, **reclaim the commons**, and **protect the poor from predatory institutions**, while remaining entirely constitutional.

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## Why This Matters Globally

South Africa is a living case study in post-colonial struggle, and the solutions proposed here serve as a **template for bold structural reform in all unequal democracies**—from Detroit to Delhi, São Paulo to Soweto.





## **Contract Fairness and Digital Rights Reform**

### 3. Contract Fairness and Digital Rights Reform

South Africa's post-apartheid state has inherited not only a legacy of social inequality, but also a heavily corporatised and extractive economic structure that often leaves consumers powerless, overcharged, and under-protected (Leibbrandt & Woolard, 2006). From punitive contract terms to exploitative data pricing and banking fees, the ordinary citizen remains economically marginalised—not only by poverty, but by regulatory inaction.

Meanwhile, the digital transition, while essential for national competitiveness, has exposed gaps in our legal frameworks—particularly around privacy, consent, platform accountability, and digital literacy (Mokofe, 2023). Poor and working-class citizens are routinely penalised through opaque billing systems, inflexible contracts, and a lack of recourse mechanisms. In the tech sector especially, dominance by private actors has made internet access and data pricing regressive, rather than liberatory (Gillwald, Moyo, & Stork, 2018).

The proposals outlined below aim to rectify the structural power imbalance between large service providers—whether banks, telcos, landlords, or online platforms—and the people they claim to serve. The intention is not to inhibit free enterprise, but to mandate fairness, dignity, and transparency for all South Africans, especially the economically vulnerable. The proposals also address the urgent need to modernise state institutions by mandating digital accessibility and simplifying bureaucratic interaction.

## 1. Contract Limitation and Consumer Protection Clause

- 1.1. No open-ended or indefinite contracts may be enforced in the telecommunications, ICT, rental, security, or financial services sectors. Service providers must offer customers the right to terminate or pause their contracts without penalty in the event of unemployment, inactivity, or lost SIM/device status. In such cases, providers shall either deactivate the service, convert the user to a pay-as-you-go model, or formally communicate the decision with an appeal mechanism. Deposits may only be required for contracts exceeding R1000 per month.
- 1.2. Where hardware has been supplied under a rental agreement, it must either be returned or paid off in full before contract termination, except where the hardware value is less than R1000.
- 1.3. Under no circumstances may providers charge the full remaining contract amount after cancellation unless the client continues using the service for that full period or retains hardware with a value in excess of R 1000. If the client returns the hardware then the contract is null and void.
- 1.4. Once a cancellation notice is sent via email, it shall be considered effective from the time it is received by the service provider's mail server. No further fees may be charged from that point, and service must be halted unless otherwise requested. The notion of "30 days' notice" shall be revoked—clients may indicate a custom exit date (e.g. three days from notice), and will be liable only for the pro-rata portion thereof. The onus is on the providers to demonstrate that the customer did not send an email. If the email exists in the customer's "sent" folder, and is date-stamped accordingly, it shall be deemed proof of cancellation. That a service provider's email server did not receive it (e.g. due to malfunction), is not for the customer to mitigate. Service providers shall ensure that their email servers do not reject mail or misclassify it as "spam".
- 1.5. Landlords in particular shall be required to confirm a tenant's intended move-out date upon receiving notice. Rental liability shall cease from the stated date, unless the tenant remains longer. Occupancy under 12 hours shall count as 0 days; occupancy over 12 hours shall count as 1 day. Rental deposits must be refunded up to but not exceeding 48 hours after vacating the property, less damages agreed by the tenant, no later.
- 1.6. These clauses apply *mutatis mutandis* to car rentals and other rentals as well as lease-to-buy arrangements.

## 2. Electronic Communications and Transactions (ECT) Amendment

- 2.1. All documents must, by default, be digitally signable. Refusal to accept digital signatures shall only be valid where at least one party lacks an appropriate device.
- 2.2. Paper-based signatures may not be insisted upon by legal, financial, or property-related institutions, who are required to accept digital signatures.

- 2.3. Digital signatures shall be valid in case that they are (a) manually drawn on a device by the person whose signature it is; (b) they are scans or photos of existing paper-based signatures; and/or (c) they have a verification mechanism attached, e.g. a QR code. Typed digital signatures with a person's name are NOT valid, even if effected in a cursive font.

### **3. Document Certification Reform Clause**

- 3.1. At present, citizens expend a large amount of time and money and police resources on renewing certified true copies. This should be reverted back to certified copies being valid indefinitely and digitally issuable.

### **4. Public Document Reissuance Clause**

- 4.1. Documents that are inexpensive to reproduce (e.g. Matric-, marriage-, and death-certificates, as well as degree certificates) must be reissued free of charge in both paper and PDF format upon request and digitally issued.
- 4.2. This excludes identity cards, driver's licences, and passports due to their higher production costs, however we should aim for 100% digital.

### **5. Digital Governance Enablement Clause**

- 5.1. All government services shall be available digitally. All digital documents issued by the state must include digital certification, such as a QR code, so as to pre-empt questions about "original" documentation.

### **6. National Do-Not-Call Register Clause**

- 6.1. No person or entity may contact another individual person for commercial, research, or political purposes without prior consent via text, WhatsApp, or similar. All unsolicited calls, texts or emails must be logged and reported to a central database.
- 6.2. Offenders shall be prosecuted by the Department of Justice and Constitutional Development (DOJ&CD). Telecommunications providers must release identifying information of offending callers to authorities without requiring a subpoena.
- 6.3. POPIA shall not be used to protect such offenders.

### **7. Digital Emergency Response Framework**

- 7.1. Cabinet shall be empowered to declare a temporary digital emergency—such as in response to AI misuse, ransomware, or deepfakes—subject to ratification by Parliament.
- 7.2. Response decisions in the case of a temporary emergency may be made in consultation with an academic advisory panel appointed to Cabinet from major universities only.
- 7.3. This emergency response, modelled on the Covid1-9 response scenario, can be adjusted to deal with any other emergency of national importance. A recent case in point is the ransomware attack on DOJ&CD (2021 September) which brought most of the DOJ&CD systems down for a substantial period, affecting many citizens.

## **8. Generative AI and Identity Protection Clause**

- 8.1. All AI-generated or digitally created content (text, images, video, audio) must contain clearly visible disclaimers or watermarks. Books using AI must acknowledge this in their copyright section. Any unlabelled content shall be blocked or fined. This applies prospectively (i.e. historically generated materials are exempt).
- 8.2. A deepfake is a computer-generated video of a person doing or saying something that they did not do, generated without their permission.
- 8.3. The ICJ shall be petitioned to recognise digital impersonation as a criminal offence. Citizens shall own the default copyright of their likeness and voice; digital replication requires explicit contractual consent, or in the case of monozygotic twins, both twins must give consent. This is intended to prevent deepfake pornography, fake news political broadcasts, and similar abuses, and thus protect the dignity of persons and foreclose the possibility of digital terrorism. Denmark has implemented this legislation this year. South Africa should do the same.
- 8.4. Deepfake replicas of persons may only be made for overtly satirical purposes and must be visibly marked as fake.

## **9. Remote Work Rights Amendment**

- 9.1. Knowledge workers not managing physical goods or services shall have a default right to work remotely up to four days per week or more. This supports carbon emissions reduction, improved productivity, and reduced infrastructure strain.

## **10. ICT Trade-In Redistribution Clause**

- 10.1. All major telcos accepting trade-ins must donate eligible Android, Linux, or Windows devices to low-income schools in regular batches. Apple devices are exempt due to maintenance cost and prestige-driven inequality; they shall be handled by certified refurbishers. This has been re-proposed recently.

## **11. Right to Unsubscribe Clause**

- 11.1. All subscription services must provide a clear and functional unsubscribe method.
- 11.2. Repeated unwanted calls shall entitle consumers to lodge a complaint with the Consumer Complaints Commission, with penalties of R10 000 per breach. This particularly applies to WASPA VAS services on mobile telephones and unsolicited call centre sales calls.

## **12. Airtime and Data Transferability Clause**

- 12.1. All airtime, SMS, and data bundles must be transferable between users regardless of network. Network locks on credit transfer are prohibited. For example, if a parent has airtime on MTN, and they wish to send airtime to their child on Vodacom, it must be possible to send that airtime easily in a single step.

### **13. Airtime as Legal Tender Clause**

- 13.1. Airtime and data bundles on cellular telephones shall be legally recognised for optional use as payment. Merchants may choose to accept it as tender at rand-equivalent value if they wish.
- 13.2. Airtime or data can then be paid to the vendor via the transfer clause envisaged above, and the vendor may then sell it back to their telco for the rand equivalent.

### **14. National Scam Reporting and Response Centre**

- 14.1. A dedicated email and reporting line shall be created for citizens to report scams. The centre shall be empowered to geolocate perpetrators and refer cases for immediate police action. Abuse of this reporting tool shall result in equivalent investigation of the false claimant.

### **15. SITA Reform Clause**

- 15.1. The requirement for departments to use the State IT Agency (SITA) — the SITA Act — should be repealed. This was recently proposed this year as well, however it has not been formalised.
- 15.2. SITA may return to operate as a default service provider to the state once it demonstrates cost-effectiveness and transparency. For example: the author has seen several cases where SITA charged around R 150 000 per month for a mere HTML website (in 2016). The going rate at the time in corporate sector for that tier was less than R100 per month, and is now lower.

### **16. Digital Sovereignty Clause**

- 16.1. To secure national infrastructure, government departments shall phase out reliance on proprietary, foreign-hosted software systems, especially licensing traps and foreign-located cloud data warehouses.
- 16.2. All mission-critical services (DOJ&CD, Police, Health, DBE, DSD, SARS, Department of Home Affairs / DHA, SSA) must migrate to open-source, systems within one year, from servers to desktop. There is no functional difference that warrants the cost, and the proprietary solutions come with commonplace ransomware threats.
- 16.3. All citizen data must reside on centralised, encrypted servers—not individual workstations.
- 16.4. No government data may be stored on foreign-owned clouds. The State shall establish a private cloud based on Open Source technologies.

### **17. Digital Desiloing Clause**

- 17.1. All mission-critical departments shall standardise and integrate their citizen data through a shared national database maintained by DHA. Subsystems (e.g. DBE's EMIS) must feed consistent data into this core. Cross-departmental coherence should be implemented within an administrative term.

### **18. Anti-IP Squatting bill.** See section on economic enablement.



## **Citizen Rights and Consumer Rights Reform Proposals**

## 4. Citizen Rights and Consumer Rights Reform Proposals

South Africa's democratic project remains incomplete while the structural dynamics of economic exclusion continue to define daily life for the majority of its citizens (Leibbrandt & Woolard, 2006). True citizenship cannot exist in a vacuum of legal equality while the lived realities of the poor and working class are shaped by exploitative pricing, unequal access to basic services, and discriminatory market structures. In the post-state capture landscape, the challenge is no longer only political inclusion—it is economic enfranchisement.

South African consumers—particularly the poor—are subjected to predatory business practices and systemic neglect. They are forced to pay more per unit of electricity, data, or groceries simply because they can't afford to buy in bulk. They wait hours in queues or on hold, bearing costs in time, transport, and telephone bills. Government departments delay payments for months, causing financial ruin for small contractors. These injustices do not occur in isolation—they accumulate daily to form a barrier to dignity (Hlophe, 2018).

Meanwhile, the digital divide and lack of regulatory intervention continue to entrench inequality. Poorer citizens are locked out of the knowledge economy not because of ability, but due to lack of affordable devices or data (Gillwald, 2024). Yet the state already has the capacity to change this—technically, fiscally, and logistically.

This chapter addresses these failures by proposing a framework for practical economic justice: protecting consumer rights, ensuring price fairness, enforcing service-level standards, and expanding access to electricity and internet as basic rights.

The proposals are grounded in the spirit of the Freedom Charter, particularly its call for "The people shall share in the country's wealth" (African National Congress, 1955). These are tangible legal mechanisms to enforce the constitutional promises of equality, dignity, and full participation in public life.

## **1. Pricing Simplicity**

- 1.1. Small quantities are typically purchased by lower income citizens and therefore a lower income citizen is penalised financially for being unable to afford higher quantities or services by paying a higher rate per product or service unit.
- 1.2. To promote transparency and fairness in the consumer economy, all companies shall adopt a clear, standardised flat rate per unit or per hour for goods and services. Bulk discount pricing models that disproportionately favour high-income consumers shall be prohibited. Each product or service must reflect its unit price (e.g. cents per sheet, rands per kg, rands per megabyte) in a prominent and legible format.
- 1.3. Misleading pricing practices—such as smaller quantity items being priced higher per unit, or critical details being printed in obscure or small fonts—shall be prohibited, as they discriminate against vision-impaired persons and elderly persons.
- 1.4. The same standards shall apply across all sectors, especially the retail, financial, insurance, and telecommunications sectors.
- 1.5. A critical area of immediate intervention is the telecommunications market. Data bundles for low-income prepaid users currently cost up to 100 times more per megabyte than bulk packages available to wealthier users. For example, Vodacom's 75MB prepaid bundle costs R13 (R0.17/MB), while a 40GB bundle is R712 (R0.017/MB). MTN offers 200GB at R499 (R0.002/MB). This disproportionate pricing structure penalises the poor and must be addressed.
- 1.6. Each mobile network operator shall be required to offer a single, fixed per-megabyte rate, regardless of bundle size, allowing them to compete fairly on pricing while ensuring equitable access for all users.
- 1.7. GSM calls to landlines and toll-free lines shall be free as typically these calls are made by poorer citizens trying to receive justice or service. At present these calls are not free (this has been tested by the author).

## **2. Digital Rights Amendment**

- 2.1. Electricity and internet access shall be formally recognised as basic human rights, alongside access to food, water, shelter, and clothing.
- 2.2. All citizens who lack an ICT device shall be provided with a basic, low-cost smartphone, funded by the state. Given current smartphone affordability (devices available from R300) and mobile penetration exceeding 110%, this intervention is both technically and fiscally feasible. The estimated once-off cost to provide a device to all qualifying adults and teenagers is approximately R9 billion. This will reduce the incentive for crime as well.
- 2.3. Whilst ICASA has provided a bill mandating that some websites can be zero-rated (Gazette 50612 of 2024), the onus is on the website owner, or another nominator, to ensure that this happens. Instead, telcos should actively zero-rate any educational or governmental website that they find.

### 3. Government SLA

- 3.1. All government departments and agencies shall resolve service queries within 30 calendar days. This includes—but is not limited to—contractor payments. If payment is delayed beyond the deadline, interest at the rate of CPI shall accrue in favour of the contractor.
- 3.2. Citizens shall be replied to via email within 48 hours, no later.

### 4. Consumer Rights Amendment: Price Increase Notification

- 4.1. Retailers must provide consumers with 30 days' written notice prior to any price increase on essential goods and services, including groceries and petrol. Notices must include the effective date and the magnitude of the increase. This requirement enables consumers to prepare and potentially purchase items before prices rise.
- 4.2. Each affected item must display a clearly marked notification on-shelf or at the point of sale. Arbitrary, unannounced price changes are prohibited.
- 4.3. Merchants may impose reasonable purchase limits to prevent stockpiling or reselling, e.g. 200L petrol per vehicle.

### 5. Life Assurance Surrender Value

- 5.1. All life assurance products—including those linked to bank accounts, homes, or other financial products—must accrue a minimum surrender value. This value shall be calculated as total premiums paid plus interest at CPI. Upon cancellation **or lapse**, this value shall be returned to the policyholder.
- 5.2. Short-term insurance policies covering theft, vehicles, and electronic devices are exempt from this provision unless they wish to offer it as a product feature.

### 6. Excess cover Ban

- 6.1. A policy will state what it covers and what it does not cover in an exhaustive list, searchable, and published on the insurer's website, with a summary section for less-literate persons in plain language (11 Official).
- 6.2. Policies will cover **fully** what is charged by a provider and the settlement of the debt between the provider and the insurer will be managed entirely between those parties without involving the insurance customer ("the insured").
- 6.3. The insured will not be required to pay "excess".
- 6.4. Providers citing pricing to insurers will quote no more than the maximum pricing specified by the insurer, which will be determined by an independent arbitration body that studies market pricing. Providers may not charge more than is covered so as to extract "excess" from clients.
- 6.5. This bill covers both long and short term insurance as well as medical aids.
- 6.6. To implement this, insurers shall immediately add "excess busters" to all client portfolios at R 0.00/month.

## 7. Medical cover exclusions

- 7.1. Medical aid cover is exceptionally complex and often results in customers (“the insured”) either failing to claim (due to punitive “excess”), or due to not understanding their rights, and what is and what is not covered.
- 7.2. Medical aids will simplify their pricing models to a streamlined tier system with standardised pricing and no exclusions/exceptions other than vanity cosmetic procedures. Cosmetic procedures due e.g. to motor vehicle accidents **will** be covered. Pricing tiers shall be: **Basic** tier covering: General Practitioner, Psychological, Optometrical, and Dental cover tier; **Hospitalisation** for minor matters or short-term hospitalisation tier (e.g. minor accidents, short term infections; maternity, as well as all that is in the basic tier); **Chronic** or **long-term hospitalisation** tier (e.g. major accidents; major operations/surgery, covering everything in lower tiers). Pricing shall be the same per-tier per-person regardless of member (the insured’s) age, gender, etc. Higher tiers may attract higher prices as they cover more expensive procedures. However, the lowest tier must be affordable to all.
- 7.3. Medical aids at tier 2 shall cover all reasonable procedures performed at hospital visits including and not limited to doctor consultations; specialist consultations; in-bed medical support and nursing; x-rays; MRI/EEG/ECG, blood/urine tests; anaesthetisation and analgesics; drips; antibiotics; bandages; and other similar routine procedures for all emergency cases that may be needed.
- 7.4. Medical aids shall pay the **service provider** on demand on admission and resolve any further costs, claims or refunds between themselves and the service provider, leaving the citizen to recuperate in peace. Medical aids shall not require “in advance” notification before hospitalisation as most hospitalisation cases are emergencies and not planned, except for maternity and elective surgery.
- 7.5. Medical aids may not decline any claim that is not fraudulent. Claims that are outside of the paid tier may be declined with a clear explanation provided that the declining will not be life-threatening. Claims not made “in advance” may not be declined. Cover must be in place from the date of first fee payment to the insurer by the client, and must be deducted pro-rata for that month immediately on sign-up, as we see in short-term insurers. No waiting period shall be legal.
- 7.6. Medical aids may not inquire as to HIV or cancer status before granting cover. Clients shall indicate in advance if they are likely to require such treatment on a “probability” scale (unlikely/not at all/likely) when signing up so as to introduce privacy while providing the necessary advance note to the insurer. Insurers may not pad pricing according to perceived risk unless the client is extremely unhealthy/high risk in their lifestyle as according to a survey conducted on signup.
- 7.7. Those who cannot afford medical aid shall receive NHI at tier 2.
- 7.8. All private hospitals shall accept NHI patients without obstruction.

## **8. Customer Time Justice**

- 8.1. Where a service provider causes undue delays that result in wasted customer time (e.g. excessive waiting at call centres, in-store queues, government offices, or via unreturned correspondence), the affected customer shall be entitled to a time-based rebate.
- 8.2. Rebates shall reflect the customer's standard hourly earnings, or be set at a default statutory rate. All service providers—public or private—must declare and publicly post their Service Level Agreements (SLAs) and rebate policy for wasted time.
- 8.3. Government departments may not ignore citizen enquiries, regardless of the citizen's customer status. This provision recognises the disproportionate burden placed on low-income individuals who often incur significant transport costs to resolve basic service issues.

## **9. Religious Neutrality and Public Space Inclusivity.**

- 9.1. To protect the constitutional right to freedom of religion while ensuring equal access to public space, no religious expression at all shall be promoted by state institutions or on government-owned land or in broadcasts. Religious iconography in public spaces shall only be allowed where it serves historical or inclusive cultural significance, or where community consensus has been reached through public consultation. Whilst this matter is already legislated, in practice it is not adhered to.
- 9.2. Privately-owned commercial premises open to the public may only display religious materials, provided such expression does not promote hate or exclusion, and does not infringe on customer rights, and such materials are intended specifically to be sold to the envisaged customer base in the business's business plan.



## **Democratic Governance for a Capable State**

## 5. Democratic Governance for a Capable State

South Africa's democracy is constitutionally robust, yet operationally brittle. After decades of institutional erosion and accountability failures, many citizens experience the state not as a responsive vehicle for development, but as a fragmented and dysfunctional bureaucracy (Chipkin & Swilling, 2018). Austerity, misalignment between promises and delivery, and a lack of professional standards among public officials have further eroded public trust (Afrobarometer, 2024). At the same time, meaningful democratic participation is hindered by outdated voting infrastructure and bureaucratic hurdles that exclude the poor and the mobile working class (World Bank, 2018). Moreover, disproportionate service delivery between provinces due to Chapter 14 of the Constitution has paved the way for Cape Independence movements (Constitution of the Republic of South Africa, 1996; Wikipedia, 2025). This is a matter of national concern, as the Western Cape provides approximately 33% of the national tax budget.

This chapter addresses these interlinked governance failures head-on. At the centre is a vision of a capable, coordinated, and citizen-focused state, underpinned by professionalism, measurable accountability, and seamless integration across departments and spheres of government. Proposals include the transformation of under-utilised infrastructure—such as post offices—into Integrated Civic Access Points to reduce bureaucratic burdens and improve service reach.

The chapter also tackles the ongoing disconnect between political promises and technical feasibility. The public is often disillusioned because elected leaders continue to announce new targets without adequate resourcing or interdepartmental consultation, or worse: non-delivery of the same target being promised. These reforms seek to legally bind executive commitments to performance metrics, enforced through quarterly reporting, and subject to public and parliamentary review.

Voting reforms proposed here reflect a recognition that true democracy is access-based. The requirement for pre-registration, rigid voting districts, and inaccessible government records disproportionately impact low-income citizens, the youth, and rural dwellers; leading to the drastic drop in voter attendance witnessed over the last 20 years (Afrobarometer, 2024). In response, the chapter recommends flexible, digitally-enabled voting processes and a unified citizen portal to access personal records securely and without charge.

These proposals aim to restore democratic legitimacy by ensuring that governance is not only representative, but also efficient and transparent.

## **1. Integrated Civic Access Point Reform**

- 1.1. To improve service delivery and restore utility to existing infrastructure, all functioning post office branches shall be repurposed as Integrated Civic Access Points (ICAPs) offering multi-departmental government services. Each branch shall facilitate services from Transport (e.g. licence renewals), Home Affairs (e.g. ID, passports), Basic Education (certificate re-issue), CIPC (company registration), SARS (tax assistance), and IEC (voter registration).
- 1.2. A digital queue and ticketing system shall be deployed to manage traffic.
- 1.3. Postbank facilities may continue to operate as financial service desks under this model. ICAPs shall be funded through a reallocation of departmental outreach budgets and overseen by a central interdepartmental task team reporting to the Presidency.

## **2. Amendment of Chapter 14 of Constitution.**

- 2.1. Chapter 14 of the Constitution shall be amended to ensure enhanced coordination between provinces and national government, in line with the objectives of the National Democratic Revolution.
- 2.2. While maintaining cooperative governance, MECs and provincial legislatures shall be subject to binding national development compacts aligned with the National Planning Commission and Cabinet.
- 2.3. Provinces that repeatedly violate performance or transformation targets may be placed under conditional national supervision as per existing legislative frameworks. Interventions will focus on capacity-building, not replacement, to ensure local delivery while reaffirming national leadership in transformation, and to ensure service delivery in line with funding provided in equitable share.
- 2.4. Provincial governments shall have a legally obligated reporting function to national departments and may not reject or otherwise delay reporting due to Chapter 14 concurrent functions clauses.

## **3. Public Leadership Professional Standards and Capacity Building**

- 3.1. To ensure competent, accountable governance, all newly appointed ministers and parliamentarians shall be required to complete the Nyukela Public Service Executive Development Programme within six months of taking office, unless an equivalent qualification has already been obtained. The Nyukela curriculum shall include financial management, public sector accounting, and strategic planning modules, as provided for on the NSG website.
- 3.2. While formal academic qualifications shall not be mandatory for election, Cabinet appointments to technical portfolios (e.g. Health, Finance, Education) shall require demonstrable domain expertise, to be certified through prior experience or relevant qualification.

- 3.3. The Public Service Commission shall issue annual compliance reports on the professionalisation of leadership roles.

4. **Accountable Performance and Budget Alignment**

- 4.1. To improve accountability and ensure effective public service delivery, all government departments shall be required to align their Annual Performance Plans (APPs) with realistic budgetary projections confirmed in advance with the National Treasury.
- 4.2. APPs shall be reduced to **one APP per directorate per official at Deputy Director level**, to ensure focus and delivery.
- 4.3. Officials who fail to meet approved APP targets without valid justification—such as budget refusal or external delays—shall enter a one-year performance improvement period, after which dismissal or demotion may follow. No funding proposal may be submitted to Treasury without prior consultation on available funds.
- 4.4. Projects duly signed off by a Minister, Deputy Minister, or Director-General shall receive priority consideration, and any rejections by Treasury must be formally motivated in writing and reviewed by Parliament's Finance Committee if disputed.
- 4.5. Departments shall show annually how their APPs meet NDP goals. Delivery must be designed to target the 2030 deadline. E.g. If the NDP states that all schools shall have X, and currently only 20% of schools have X, then by 2030, 100% of schools must have X, meaning the APP must state 20% delivery of X/annum.

5. **Executive Delivery Accountability**

- 5.1. To reinforce public trust and strengthen executive responsibility, all Cabinet ministers shall be held accountable for deliverables publicly announced in the President's State of the Nation Address (SONA).
- 5.2. Ministers who fail to implement their assigned commitments within one calendar year—without legally valid justification—shall be subject to parliamentary review and potential dismissal or demotion by the President.
- 5.3. DPME shall publish quarterly progress reports for each minister.

6. **Policy-Promise Alignment and Delivery Assurance**

- 6.1. To ensure realistic planning and prevent public disillusionment, all government departments shall align their Annual Performance Plans (APPs) with commitments made by elected officials, provided such commitments are supported by feasibility assessments and budget confirmations. No politician may publicly announce a new policy target or delivery timeline without prior **direct** consultation with the designated implementation official/s.
- 6.2. Conversely, if an official confirms the feasibility of such a promise, they shall be held contractually accountable for delivery. Departments shall publish a public alignment matrix annually, mapping political promises to their APP deliverables.

## **7. Government Workforce Reskilling**

- 7.1. All public servants shall be required to undergo regular professional development in their area of responsibility. This includes, but is not limited to, courses in motivational leadership, basic psychology for workplace interactions, computer literacy, and cybersecurity awareness to mitigate risks such as insider threats. Training shall commence from DDG level downwards.
- 7.2. Training shall be fully funded by the state and aligned with departmental performance objectives.

## **8. Senior Public Service Alignment and Transition Clause**

- 8.1. To ensure the effective implementation of newly elected government mandates, all officials at the level of Deputy Director-General and above shall be subject to a formal policy alignment review by the incoming administration following general elections.
- 8.2. This process shall assess readiness to implement revised political priorities. Existing staff not aligned with new policy directives may be reassigned in accordance with public service regulations. The aim is to modernise public administration and eliminate outdated legacy practices, some of which date to the pre-democracy era.
- 8.3. Departments headed by ministers with agendas that differ from the majority goals of the NDR shall be required to justify their varied agenda with an academic review and report explaining why the agenda should be at odds with the NDR.

## **9. Electoral Access Reform: Removal of Pre-Registration Requirement**

- 9.1. The process of registering to vote shall be eliminated to ensure maximum democratic participation. Any South African citizen presenting a valid identification document—such as a green barcoded ID, smart ID card, or driver's licence—shall be permitted to vote on election day without requiring pre-registration on the voter's roll.
- 9.2. The IEC shall maintain a live database of voters verified at point of voting, with biometric and identity number verification integrated into the voting system to prevent duplication. In other words, the voter's roll shall be captured on election day, dynamically and digitally.

## **10. Voting Location Flexibility Clause**

- 10.1. To remove barriers to participation, all eligible citizens shall be allowed to cast their votes at any designated voting station in the country, regardless of registered residential address. The current requirement to vote in a pre-assigned district disadvantages working-class and mobile citizens, particularly those away from home due to employment, travel, or housing circumstances. The author has direct experience of having to provide transport to a fellow citizen due to their not being at their correct voting station.
- 10.2. The IEC shall update its systems to facilitate live, centralised voter verification to allow secure voting from any location.

## **11. Electoral Fairness and Demographic Equity**

- 11.1. To protect the constitutional principle of equal representation and prevent the entrenchment of apartheid-era spatial inequalities, ward and district boundaries shall be reviewed to ensure demographic balance and equitable resource distribution.
- 11.2. The Municipal Demarcation Board shall be mandated to ensure that boundaries do not isolate communities by income or race, but reflect integrated urban development and social cohesion goals, in line with the NDP.
- 11.3. Public participation in demarcation processes shall be expanded to include oversight by civil society, and any evidence of politically motivated boundary manipulation shall trigger an IEC inquiry.

## **12. Digital Democracy and Inclusive Voting Access**

- 12.1. To expand democratic participation and reduce logistical barriers for marginalised voters, the IEC shall pilot secure digital voting mechanisms, including biometric verification and encrypted identity validation via a mobile platform, subject to cybersecurity review, and linked to DHA's digital modernisation programme.
- 12.2. Digital voting shall complement—not replace—existing in-person voting methods.
- 12.3. Polling stations shall be established in quantity according to quantity of citizens living in an area, as ascertained by StatsSA, rather than as is apparent, by ward boundary. No specific polling station shall turn away voters from other areas or districts; all polling stations shall accept the vote cast by any person regardless of whether or not they live in the area.
- 12.4. Citizens who are away from their home voting district on election day may vote at any designated station, without needing prior special vote registration.
- 12.5. The IEC shall retain a continuously updated national voter database, automatically integrating DHA data, to eliminate the need for separate manual voter registration, while maintaining protections against voter fraud.

## **13. Digital downloads of paperwork.**

- 13.1. All citizens must be able to login to citizen portal and provide their ID number to download marriage certificates, birth certificates, death certificates, drivers' licenses, ID books, matric results, etc. Authentication can be done digitally e.g. 2FA, biometrics, etc. Signing up for the service can be done at post offices and fingerprints/face prints taken there.
- 13.2. Any person still alive and registered, and over the age of 18, shall automatically be deemed a voter and marked as such in the roll.



**Infrastructure for Justice — Access, Sustainability  
and Empowerment**

## 6. Infrastructure for Justice—Access, Sustainability and Empowerment

South Africa's infrastructural challenges have reached crisis levels. Up till recently, load-shedding, and ongoing decay of municipal water systems, as well as escalating vandalism of public infrastructure have severely eroded the state's capacity to provide basic services (GGA, 2023; Engineering News, 2025). Yet, despite the scale of dysfunction, the citizenry continues to innovate—installing solar panels, conserving water, and even filling potholes—often without recognition or support from the state (The South African, 2022).

This chapter presents a vision for climate-resilient, and citizen-inclusive infrastructure reform. It is driven by three interlocking priorities: (1) energy and water security, (2) environmental sustainability, and (3) governance accountability.

While the push for green energy originates in the Global North, which is responsible for 92% of excess global carbon emissions (Hickel, 2020), the Global South can nonetheless benefit by deploying green technologies.

At the centre of these proposals is the belief that local generation and community-based adaptation must be formally recognised and incentivised (IISD, 2025). Rather than continuing to operate on older thinking, municipalities must be empowered to partner with citizens through rebates, solar buy-back schemes, and green hardware subsidies. Where new buildings are concerned, green compliance must be the baseline—not an exception for the wealthy (Trade.gov, 2023).

In parallel, the chapter acknowledges the economic opportunities embedded in the green transition. A national programme to train unemployed South Africans in renewable installation will both alleviate unemployment and build long-term resilience (Reuters, 2024).

The chapter also tackles the destruction of public infrastructure through cable and track theft and sabotage. By tightening the regulation of scrap metal, the state can begin to reverse the culture of impunity (Mail & Guardian, 2024).

Finally, accountability is non-negotiable. Municipalities that fail to deliver water or electricity for over a week must face immediate and escalating consequences, including direct intervention and probation of officials (Eskom, 2025). The time for bureaucratic excuses is over.

## **1. Private Electricity Generation Support**

- 1.1. Municipalities shall be empowered to purchase excess electricity generated by private individuals, businesses, or residential solar users.
- 1.2. Municipalities may also offer direct rebates or credit mechanisms to incentivise household-level solar and renewable energy generation, contributing to grid stability and national energy resilience.

## **2. Green Buildings Standards**

- 2.1. All newly constructed buildings intended for occupancy by more than six people shall comply with minimum environmental design standards. These include thermal regulation via airflow design, double-glazed windows, insulation, and mandatory solar rooftop installations. Compliance shall be confirmed through building plan approval processes.

## **3. Green Retrofitting Incentive**

- 3.1. Existing buildings housing more than six occupants that do not currently meet green infrastructure standards shall be eligible to apply for a government subsidy to support retrofitting.
- 3.2. Subsidies shall cover upgrades for energy efficiency, water conservation, and thermal insulation. Applications shall be prioritised by building size, energy intensity, and socio-economic need.

## **4. Green Hardware Access for Low-Income Households**

- 4.1. To expand equitable access to sustainable technologies, qualifying low-income households shall be entitled to collect government-funded green hardware kits from designated hardware suppliers.
- 4.2. Each household may nominate a registered collector, who shall receive one solar panel, one inverter, one solar geyser, five double-glazed windows, one solar light tube, and one 200-litre rainwater tank.
- 4.3. Eligibility requires formal proof of residence in an RDP or other state-registered dwelling. All claims shall be tracked via ID-linked verification to prevent duplication. Reselling of components shall be prohibited.

## **5. National Green Skills Training and Employment**

- 5.1. Unemployed citizens may apply for state-funded training in the installation and maintenance of green technologies. Training shall include solar panel mounting, inverter configuration, solar geyser installation, and energy-saving upgrades. The initiative shall contribute to both employment creation and long-term climate adaptation goals.

## **6. Critical Infrastructure Protection and Scrap Regulation**

- 6.1. To protect essential infrastructure from criminal damage and economic disruption, all scrap metal transactions shall require a state-issued trading licence.
- 6.2. A national traceability framework shall mandate origin verification for all materials traded, with particular emphasis on copper, telecommunications

hardware, railway infrastructure, and municipal components. Handling of unverified materials shall be prosecuted under infrastructure sabotage legislation and treated as a military act of sabotage.

- 6.3. First offences may attract restorative penalties, while repeat or large-scale violations shall trigger extended sentencing under national security provisions.
- 6.4. Community-based buy-back centres shall be introduced to support lawful recycling and economic inclusion.
- 6.5. Informal recyclers must be required to have a scrap metal trading license (issued freely) and may not trade in any items suspected of being municipal or national infrastructure.

## **7. Municipal Lighting Independence Clause**

- 7.1. All municipal lighting infrastructure, including traffic lights and streetlights, shall be equipped with solar panels and battery backups to ensure continuous operation during load-shedding or power outages.
- 7.2. Equipment shall be installed at elevated, vandal-resistant positions and secured with tamper-proof fixtures to prevent theft or sabotage.

## **8. Municipal Service Delivery Accountability**

- 8.1. Where a municipality fails to provide uninterrupted water or electricity services for a continuous period exceeding seven days, it shall be placed under direct administration by the responsible national department for a minimum of 12 months.
- 8.2. A fine of R1 million shall apply for each additional day of service failure. If service is not restored within 14 days, the responsible municipal directorate shall be dissolved, and all officials reassigned to probation status pending a formal review of conduct and capability.



**Ending Procurement Capture —  
An Insider's Blueprint for Accountability**

## 7. Ending Procurement Capture—An Insider’s Blueprint for Accountability

Having served as Chief Information Officer for the Judicial Commission of Inquiry into Allegations of State Capture (Zondo Commission), the author has seen first-hand how deeply entrenched corruption has become in South Africa’s procurement systems. From ghost service providers to multi-million-rand invoices for undelivered projects, the abuse of public contracting mechanisms has hollowed out the state, paralysed service delivery, and eroded public trust to a historic low. (Zondo Commission, 2022).

This chapter draws directly on that experience. It offers a practical, enforceable framework to plug the holes in procurement pipelines where billions have historically disappeared.

As noted by Calland (2013), the problem extends beyond isolated incidents; it is embedded in informal agreements, opaque contract terms, and a lack of real-time accountability. Pauw (2017) further emphasises that corruption often begins with administrative laxity and unchecked discretion. The proposed multi-layered compliance architecture aims to embed oversight at every stage of the procurement process, transforming it into a tool for development rather than enrichment.

1. **Public Procurement Integrity and Follow-Through** To prevent corruption at the inception and execution stages of government contracting, the following shall apply to all memoranda of understanding (MOUs), tenders, and procurement engagements within all departments, entities, municipalities, and state-owned enterprises.
  - 1.1. No procurement or project-related MOU which involves a service provider delivering goods and services, even “gratis”, may be signed without a formal risk and feasibility assessment and confirmation of project budgeting from the CFO and/or the MOU proposer.
  - 1.2. All MOUs must be logged in a National MOU Registry, accessible to National Treasury and SCOPA. The aim of this legislation is to prevent fake MOUs which are used to obtain funding for projects that do not materialise.
  - 1.3. All new procurement engagements shall include a compulsory Implementation Verification Plan, specifying milestones (deliverable work packages with due dates), payment triggers, and responsible follow-up officials. Milestones must be SMART. In particular, each work package must have a specific individual person identified as responsible.
  - 1.4. Every department and SOE shall establish a **Contract Management Unit** (CMU), located in the office of the DG, CEO or HOD, functionally independent of programme units, reporting quarterly to the Department of Planning, Monitoring and Evaluation (DPME) and the Auditor-General of South Africa (AGSA). The CMU shall be responsible for pre-signature due diligence, tracking implementation, and certifying delivery. The CMU shall also perform price sanitisation, benchmarking all proposals and quotations against known commercial and retail suppliers. Any service or product offering—particularly in categories such as project management, management consulting, facilitation, or software licenses—that exceeds prevailing retail rates by more than 10% shall be automatically declined.
  - 1.5. Any official who proposes a solution for procurement without a formal needs analysis and alignment with policy, logged by the relevant programme manager with the CMU, shall be investigated by the internal audit unit. Said official will be required to provide minutes of all meetings with the service provider, and three months’ personal bank statements of all bank accounts in their name, to demonstrate that the service provider has not provided incentivisation.
  - 1.6. DGs, CEOs, or HODs who sign MOUs or tenders without full documentation—needs analysis, budget clearance, legal compliance memo—shall be held jointly liable for contract failure.
  - 1.7. A public Supplier Risk Index shall be maintained, listing vendors by risk score based on failed projects, ghost delivery, litigation, or audit flags. High-risk vendors may not be awarded new tenders without ministerial override.



**Justice with Dignity—  
Balancing Accountability, Equity, and Structural Repair**

## 8. Justice with Dignity—Balancing Accountability, Equity, and Structural Repair

South Africa's criminal justice system is under significant strain, evidenced by overcrowded courts, a high number of unsentenced detainees, and prisons dominated by gang activity (Gale, 2021). These conditions contribute to a public perception of selective justice (Dullah Omar Institute, 2020). Economic inequality further exacerbates cycles of petty crime and the criminalisation of poverty, leading to widespread distrust in the rule of law (World Bank, 2019).

To address these challenges, a reimagining of criminal justice is necessary—one that emphasises rehabilitation, prevention, and structural redress. Digital hearings have emerged as a practical reform to enhance access to justice, particularly for individuals lacking resources for travel or legal representation (UN Women Africa, 2021). This approach also benefits victims of gender-based violence (GBV), who may avoid the trauma of facing their abusers in court (UN Women Africa, 2021).

Sentencing reforms are crucial in a context where minor offences committed out of necessity can lead to imprisonment, while white-collar crimes often go unpunished (Dullah Omar Institute, 2020). Implementing means-tested fines and harm-based proportionality in sentencing ensures fairness and restores public confidence in the justice system (Open Society Foundations, 2020).

Prison reform is equally critical, as correctional facilities have become breeding grounds for gang culture and recidivism (SaferSpaces, 2022). Alternative sentencing options, such as community service and restorative justice programmes, have proven more effective for non-violent offences (Crime, Justice and Social Democracy Research Centre, 2020).

Recognising poverty as a structural driver of crime, the introduction of a basic income guarantee is proposed to uphold the right to livelihood, encompassing access to food, shelter, and dignity (Institute for Economic Justice, 2021).

Finally, addressing symbolic justice involves imposing enhanced penalties for crimes that damage the country's reputation, such as tourist assaults and high-level corruption. Protecting citizens from exploitative religious practices is also essential, necessitating regulation to prevent harm under the guise of faith (TGC Africa, 2022).

## **1. Digital Hearings and Court Access**

- 1.1. To reduce logistical and financial barriers to justice, as well as the threat of a GBV victim having to directly be near their abuser, courts shall adopt a digital-first approach for all hearings where physical presence is not essential.
- 1.2. Legal representatives and magistrates shall comply with such requests unless a compelling legal reason requires in-person attendance.
- 1.3. Summonses must offer three options: (a) request a digital hearing, (b) request an in-person hearing, or (c) agree to settle with the opposing party before the hearing date. For option (c), written confirmation of settlement must be submitted to the court in advance.
- 1.4. Courts shall manage bookings, scheduling, and appearances through digital platforms. At the time of the hearing, the magistrate or clerk shall initiate a secure video call (e.g. via WhatsApp) to convene parties virtually. Parties refusing or failing to use a digital link when they requested one, without a legitimate excuse (e.g. lack of data), will be charged with contempt.
- 1.5. Digital calls for court purposes shall be zero-rated by telcos.

## **2. Proportional Sentencing and Harm-Based Penalty**

- 2.1. Criminal penalties shall be guided by the principle of proportionality, ensuring that sentencing reflects the gravity of harm and the relative social power of the offender. Crimes committed by individuals in positions of power or trust—such as corporate executives or public officials—shall carry heavier penalties than those committed under conditions of deprivation or necessity.
- 2.2. Traffic fines and minor offences shall be means-tested, calculated as a percentage of the offender's verified income to ensure fairness.
- 2.3. Serious crimes, such as murder, shall carry minimum sentences with no eligibility for early release. Similar rules shall apply to GBV offenders. Nine years for intimate partner femicide is outrageously low as a sentence.

## **3. Alternative Sentencing and Correctional Reform**

- 3.1. To prevent the perpetuation of violence and criminal culture in correctional facilities, alternative sentencing options shall be expanded for non-violent and petty offenders. Suitable alternatives include supervised social service, non-combatant national service, or restorative justice programmes.
- 3.2. Where financial penalties are impractical due to poverty, offenders shall be permitted to work in publicly beneficial roles, with wages directed to support their dependents. No portion of such earnings shall be taxed; stipends shall be allocated to basic needs and the offender's family. This approach avoids exploitative labour while maintaining rehabilitative and restitutorial goals.

#### **4. Right to Livelihood and Basic Income Guarantee**

- 4.1. Recognising poverty as a key driver of violent, petty and opportunistic crime, the state shall enshrine the right to livelihood as a constitutional extension of the right to life. This shall include access to food, water, education, healthcare, sanitation, electricity, basic communication tools, shelter, and minimal clothing. Living conditions such as camping in a riverbed amongst municipal waste, and having to use a shopping bag as a toilet, is unacceptable and clearly a rights violation.
- 4.2. To this end, the COVID-19 social relief grant shall be formalised into a universal basic income guarantee for unemployed citizens below a designated poverty line. Dignity shall be operationalised through minimum provisioning of these essential needs.

#### **5. Crimes of National Embarrassment**

- 5.1. Offences that damage South Africa's international reputation or public trust shall attract enhanced penalties. This includes crimes against tourists, acts of corruption by public officials, and misconduct in high-trust professions.
- 5.2. Convicted individuals shall be barred from future employment or licensure in the relevant sector. For example, a tour operator found guilty of assaulting a tourist shall be permanently disqualified from working in the tourism industry. These measures protect the country's global image and uphold the integrity of key sectors.

#### **6. Anti-Bullying and Psychological Intervention**

- 6.1. Bullying is a performative act that harms both victim and bystander and is intended as a display of power. As such, interventions shall include public awareness campaigns and psycho-social evaluations of the perpetrator.
- 6.2. Bullying in any context—schools, workplaces, public offices, or institutions—shall be recognised as a harmful psychological offence. Where proven by evidence, perpetrators may be subject to financial penalties, community service, and mandatory participation in rehabilitative counselling.
- 6.3. Cyberstalking, cyberbullying, and cyber-intimidation shall be taken seriously as criminal actions and all reports with screenshot evidence shall be sufficient for police to open a case against the perpetrator. Cyberbullying which aligns with in-person penalties shall be treated as in-person, e.g. racial abuse.

#### **7. Protection from Exploitative Religious Practices**

- 7.1. To safeguard public dignity, health, and safety, all religious institutions offering spiritual guidance or counselling shall ensure that their leaders meet a minimum standard of ethical and educational formation, e.g. BA Theology.
- 7.2. Religious leaders providing pastoral care, healing services, or psychological counselling must complete accredited training in theology or pastoral

care, including at least one module in basic counselling or ethics, from a DHET-recognised institution.

- 7.3. All religious organisations must be registered with the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL) and submit a code of conduct.
- 7.4. Practices involving physical harm, coercion, ingestion of hazardous substances, or humiliation (e.g. eating grass, drinking petrol) shall be criminalised under the offence of spiritual fraud and subject to immediate interdiction and criminal prosecution, as well as lifetime bans on practicing as a religious official.
- 7.5. All putative religious organisations of more than four members shall register with DSD as an NPO and be required to identify their NPO registration number on all correspondence, communiqués, and public displays.



**Transport Justice —  
Safe, Fair, and Rational Roads for All**

## 9. Transport Justice—Safe, Fair, and Rational Roads for All

South Africa's roads are daily arenas where inequality, danger, economic disruption, and frustration converge. The disproportionate burden of road injuries and fatalities, particularly among working-class pedestrians and commuters, underscores a systemic failure to ensure safe and equitable transport. Pedestrians account for approximately 40% of road fatalities in the country, highlighting the vulnerability of non-motorised road users (Road Traffic Management Corporation [RTMC], 2021). The infrastructure is fragmented and poorly maintained, with potholes, malfunctioning traffic signals, and unregulated speed bumps contributing to hazardous conditions. Approximately 80% of South Africa's roads have exceeded their 20-year design life, leading to a significant maintenance backlog estimated at over R200 billion (Hippo, 2024). Citizens often face indifference when reporting these issues, exacerbating public frustration and eroding trust in transport governance.

This chapter proposes comprehensive reforms to transport law and governance, emphasizing safety, accountability, and equal rights on the road. By addressing infrastructural deficits and enforcing standardised regulations, we aim to transform South Africa's roads into shared civic spaces where safety and fairness are paramount.

## **1. Road Maintenance Accountability**

- 1.1. Where a motor vehicle accident or damage occurs due to poor road conditions—such as potholes, unmarked or substandard speedbumps—the responsible municipality shall be liable for the cost of repairs or injury to vehicle/s and/or their occupants.
- 1.2. Speedbump Standardisation. All speedbumps installed on public roads shall comply with national engineering standards as recommended by the CSIR. All bumps must be clearly marked with glow-in-the-dark chevron paint. Any public road speedbump not conforming to these specifications may be adjusted or removed by citizens without penalty.
- 1.3. Pothole Repair Liberalisation. Citizens may voluntarily repair potholes and claim reimbursement from the relevant municipality via their ward councillor. Repairs must meet the relevant specifications. Municipalities shall monitor GPS platforms such as WAZE for incident reports and respond promptly and/or credit citizens for valid, compliant repairs through municipal billing adjustments (e.g. reduction on rates/taxes for that month).

## **2. Citizen Traffic Reporting and Accountability**

- 2.1. Citizens may submit photographic or video evidence of road traffic offences—including those committed by state or VIP convoys—to the Department of Transport for enforcement action. Filming must be conducted legally (e.g., dashcam or by a passenger) and without the driver operating a mobile phone while driving.
- 2.2. There is no expectation of privacy while committing a public offence involving a vehicle driven on a public road, and hence, no POPIA claim can be pursued by the offender.

## **3. Taxi Governance and Safety Compliance**

- 3.1. All minibus taxis must install speed governors. Taxis shall be subject to annual roadworthiness inspections by randomly assigned and independent mechanics. Attempting to bribe or threaten the inspector will result in immediate impoundment of the vehicle.
- 3.2. All minibus taxis and other mass transport vehicles shall be required to undergo annual roadworthy in order to receive a license disk.
- 3.3. Each taxi association must adopt a distinct colour for fleet identification. All taxis shall display functioning QR codes on their sides and rear, enabling passengers to log complaints. Any taxi with a missing, damaged, or non-functional QR code shall be impounded.
- 3.4. Taxis are prohibited from stopping in intersections, single-lane roads, curves, or solid-line roads where overtaking is illegal or dangerous. Offending taxis may be fined or impounded based on evidence submitted by the public or any police officer present.

- 3.5. Vehicular Endangerment and Wrong-Way Driving Prohibition. Any driver who deliberately enters or uses a roadway or lane against the lawful direction of traffic—outside of an authorised detour, police instruction, or emergency services context—shall be deemed to have committed a vehicular endangerment offence. Photographic or video evidence submitted by citizens shall be admissible for enforcement. No mitigating argument shall be accepted based on traffic congestion, financial urgency, or route familiarity.

#### **4. Anti-Exploitative Transport SLA**

- 4.1. Transport companies, including taxis, retailers, delivery platforms, and ride-sharing services, may not impose unreasonable service level agreements (SLAs) on drivers that incentivise reckless or aggressive driving.
- 4.2. SLAs shall be pre-defined per vehicle type and category and no company, rideshare app, or taxi association may exceed those SLAs.
- 4.3. Rideshare drivers and fast food, grocery or other delivery drivers such as Uber, Bolt, etc., shall be considered full time employees and given full employee benefits including UIF, pension fund contributions, leave allocation, a basic salary, medical aid contributions, and union membership, as well as PAYE management by the employer set to provisional taxpayer bracket (25%).

#### **5. Weather-Based Speed Adjustment**

- 5.1. During suboptimal conditions (rain, fog, night time), the legal speed limits shall be reduced by 10km/h.
- 5.2. Vehicle headlights must be turned on if the sun is not directly observable/visible, even in daylight.

#### **6. Left-Turn Yield Amendment**

- 6.1. Motorists may turn left at a red traffic light after stopping and ensuring no oncoming traffic or pedestrians are endangered. All intersections without traffic lights, regardless of road markings, shall be treated as four-way stops.
- 6.2. Yield signs shall be phased out and replaced with stop signs to improve compliance and road clarity, as it is clear that yield signs are ignored. All intersections without traffic lights shall require a full stop, without exception, including for left turns. Traffic circles shall be interpreted as four-way stops except for large circles with more than four entrances.

#### **7. Public Toilet Access**

- 7.1. Any facility open to the public—such as petrol stations, malls, and transport hubs—must provide clean, accessible toilet facilities at no cost. Only private homes and office buildings may restrict access.
- 7.2. Facility owners are responsible for maintaining hygienic conditions. This aligns with the constitutional right to dignity.

## **8. Traffic Fine Proportionality**

- 8.1. Traffic fines shall be calculated as a percentage of the offender's income to ensure fairness. We suggest 2-5% is a reasonable fine for a moderate infraction.
- 8.2. This aligns with the principle of proportionality as set out in the Criminal Sentencing Reform proposed elsewhere.

## **9. Child Victim Maintenance**

- 9.1. Any individual found guilty of reckless, negligent, or intoxicated driving resulting in the death of a parent shall be required to pay court-determined monthly maintenance support to the victim's children until the age of 21 at a level of lifestyle determined by the courts.

## **10. Right-of-Way Revision for Reversing Vehicles**

- 10.1. Vehicles reversing out of a parking bay or driveway shall have the right of way. Oncoming traffic, cyclists, and pedestrians must yield. This measure prioritises safety due to the limited visibility from reversing vehicles.

- 10.2. Vehicles may not reverse off motorways.

## **11. Traffic light energisation proposal.** See chapter on electricity and energy.



**Dignity, Health, and Reality—  
Toward Humane Health Regulations**

## 10. Dignity, Health, and Reality—Toward Humane Health Regulations

South Africa must reframe its approach to drugs and health, moving beyond outdated criminal models. Treating substance use as a moral failing has led to over-filled prisons, untreated addiction, and a booming illicit trade (UNODC, 2022; Lines & Barrett, 2020). Our healthcare system, meanwhile, is under-resourced and ill-equipped to support vulnerable individuals.

This chapter advocates for a humane, evidence-based model that emphasises harm reduction, oversight, and public wellbeing. Legalising marijuana and psilocybin under frameworks similar to tobacco would disrupt criminal networks, generate jobs, and allow regulated local control (Caulkins et al., 2016), as well as provide much-needed tax revenue.

The chapter also calls for non-religious rehabilitation programmes, case tracking, and social worker support for dependants, aiming to restore dignity and family health (Parry et al., 2022). A ban on “date rape” drugs is also proposed due to their lack of essential medical function (UNODC, 2021).

The chapter furthermore supports decriminalising sex work to reduce abuse, improve health access, and uphold safety—while maintaining strict penalties against trafficking and child exploitation (Gould & Fick, 2008; WHO, 2022).

In addition to this, the chapter affirms palliative end-of-life autonomy and universal healthcare access under Section 27 of the Constitution (Dhai & Moodley, 2021; Section27, 2022). Finally, it proposes public-private partnerships to modernise hospitals without privatising care.

These reforms aim to honour dignity, equity, and constitutional obligation.

## **1. Marijuana and Psilocybin Legalisation Amendment**

- 1.1. The large-scale cultivation, packaging, and commercial sale of marijuana and psilocybin mushrooms shall be legalised and regulated under the same framework as tobacco. This includes the application of health warning labels, excise duties (sin taxes), and restrictions on advertising.
- 1.2. Commercial-scale operations must be located in agriculturally zoned areas, subject to municipal by-laws and environmental health standards, as well as protections for workers such as respiratory protection.
- 1.3. Home users may grow and consume these substances privately and may sell limited quantities to friends and family. However, cultivation exceeding 20 plants (marijuana) or 40 mushrooms (psilocybin) in a residential, suburban, or commercial zone is prohibited.

## **2. Recreational Drug Licensing and Quality Control**

- 2.1. Any individual or business manufacturing or selling recreational drugs—including marijuana, psilocybin mushrooms, tobacco, or alcohol—shall obtain a government-issued manufacturing and/or sales licence. This requirement applies to all vendors, including spaza shops, shebeens, and private sellers.
- 2.2. As part of the licence conditions, sellers must: (a) require customers to present a medical script indicating suitability for purchase, in other words, that the purchaser is not a registered dysfunctional addict; (b) maintain a record of all customers and purchases; (c) submit monthly usage reports to the nearest government hospital for harm-reduction follow-up.
- 2.3. Random quality control inspections by chemical analysis shall be carried out by government inspectors to ensure product safety. This framework shall create employment opportunities in quality assurance and regulatory oversight, while establishing a safe and professionalised recreational substance industry, and reduce users' reliance on criminal networks.

## **3. Drug Use Reporting and Designation Protocol**

- 3.1. The formal designation of an individual as suffering from alcohol or drug dependency shall follow a structured process: (a) at least two individuals—preferably close family members or the person's life partner—must report the concern to a public healthcare facility; (b) the individual shall undergo a mandatory standardised psychometric, blood and behavioural assessment conducted by a state-registered psychiatrist and nurse/s; (c) refusal to undergo the assessment may result in a court-ordered intervention or temporary detainment for evaluation.
- 3.2. Clear diagnostic criteria will be established, including daily consumption levels, behavioural impact, financial strain, concealment patterns, risk to family members, and minimum duration of habitual use (at least six months). These standards will be gazetted by the Department of Health.

- 3.3. Frivolous reporting of a person for substance abuse will be penalised under slander legislation.

#### **4. Substance/Alcohol Dependency Support and Monitoring**

- 4.1. All individuals designated as suffering from alcohol or drug dependency shall be offered access to state-sponsored, non-religious rehabilitation services.
- 4.2. The state shall maintain a registry to enable ongoing case management and intervention, with monthly check-ins at state healthcare facilities.
- 4.3. Where an individual is a danger to themselves or others due to their dependency, they may be detained against their will in a recuperative facility.
- 4.4. Where the individual is a parent or legal guardian, social workers shall conduct weekly home visits to ensure that children are not exposed to substance use; nor encouraged to use or “try” the substance, including alcohol; that substances are stored securely; and that caregivers are actively participating in harm-reduction or recovery programmes.
- 4.5. Support services shall prioritise dignity, health, and the safety of dependants.

#### **5. Liquor Licensing and Anti-Abuse Regulatory Amendment**

- 5.1. All licensed alcohol vendors—including bars, restaurants, and retailers—shall be required to scan and verify a purchaser’s identity document prior to sale in all cases, where the purchaser is determined to be a regular user or excessive buyer.
- 5.2. Verification shall include a real-time cross-check against the National Department of Health digital registry of designated alcohol-dependent individuals.
- 5.3. Sales to individuals on the registry shall be restricted or denied, as determined by the rehabilitation plan in place.
- 5.4. Purchasing alcohol or other dependency-causing substances for another person, including tobacco, marijuana, etc., shall be deemed a criminal offence, including in a restaurant context.
- 5.5. Persons purchasing alcohol at a bar or restaurant will need to indicate their designated driver, if they did not arrive via rideshare, and, that person may not be supplied with alcohol. This will reduce drunk driving and increase support for the rideshare industry.

#### **6. Controlled Substance Ban: Tetrahydrozoline and Rohypnol Prohibition Clause**

- 6.1. To safeguard public health and prevent chemical-facilitated assault, the substances tetrahydrozoline (commonly found in over-the-counter eye-drops) and Rohypnol (flunitrazepam) shall be classified as prohibited substances under the Medicines and Related Substances Act.

- 6.2. Both substances have been identified as tools in drug-facilitated sexual assault (commonly referred to as "date rape") and pose significant risks to life and health when administered covertly.
- 6.3. The possession, sale, importation, or distribution of these substances—outside of strictly controlled and medically justified contexts—shall be criminalised.
- 6.4. Existing stocks of tetrahydrozoline-containing products shall be subject to recall, and alternative ophthalmic treatments shall be approved for use. Medical professionals requiring Rohypnol or tetrahydrozoline for approved clinical purposes must register for restricted-use exemptions under direct Department of Health oversight.

## **7. Sex Work Decriminalisation and Protection**

- 7.1. In alignment with constitutional rights to dignity and health, sex work shall be decriminalised and regulated to ensure the safety and health of those involved.
- 7.2. The state shall establish health and legal support services via existing clinics.
- 7.3. Sex trafficking, coercion, child exploitation, and in-person pimping, shall remain serious criminal offences, unless the person participating prepares an affidavit without duress stating that they are participating voluntarily, e.g. in a brothel. Any person currently being exploited for sex work shall be given all necessary support to escape from their scenario, including a halfway house, arrest of their abuser, and child support.
- 7.4. Sex workers may not "walk the streets" in search of customers but are required to offer services via the web or apps only. Sex workers found on the street will be taken to a halfway house immediately for care and support.
- 7.5. Sex workers shall receive free access to PrEP, health screenings, and labour protections through a framework tailored with input from civil society and healthcare experts.
- 7.6. The proposal mandates anti-discrimination clauses preventing the unfair treatment of former sex workers, subject to consultation with the Department of Employment and Labour. In particular, future employers may not inquire from a potential employee or existing employee whether they participate/d in sex work in person, except in the case of school teachers and persons involved with other vulnerable groups, due to existing well-publicised cases of abuse. Online sex work—specifically voyeurism, such as OnlyFans— shall not be an exclusion grounds for employment under any circumstances; as a person's private activities are not the mandate of an employer and the employee has no obligation to disclose this work. Requesting disclosure is illegal due to POPIA. Earnings from online work are taxable.
- 7.7. The above bills will create tax income streams and reduce side-effects of covert habits such as drug smuggling and people trafficking.

**8. Right to record bill.**

8.1. As mentioned previously, victims must be legally allowed, POPI notwithstanding, to video/audio record their abuse. See previous discussion.

**9. GBV protection bill.** See later section on GBV.

**10. End-of-Life Autonomy and Palliative Rights**

10.1. In recognition of the constitutional right to dignity and informed medical consent, the state shall establish a national consultative panel to investigate policy frameworks for end-of-life decision-making in terminal cases. The panel shall include medical ethicists, health professionals, and civil society.

10.2. Patients diagnosed with incurable, degenerative **physical** illnesses causing prolonged suffering may be given the right to request medically assisted palliative life-ending interventions, subject to independent evaluation and voluntary consent. The state shall simultaneously invest in public palliative care services to support all terminal patients.

10.3. Persons requesting end-of-life care of the sort referred to here, shall **not** be allowed to request such care if they have high-value insurance policies or a high-value estate and are being referred for said care against their will or knowledge by beneficiaries of their policies or estate.

10.4. This approach shall **exclude psychological conditions** such as depression as grounds, and uphold the principle that life must be protected except in cases of medically verifiable irreversible physical or brain-based decline, and only under strict regulatory safeguards. In particular, depression is excluded as it is treatable under CBT treatment regimes.

10.5. Life Assurers may not decline a payout of a policy due to end of life palliative care involving life-ending procedures. However, they do have a right to request an investigation and proof that the insured party requested the care, and/or that it was medically prescribed, if the insured party was not mentally competent to request the care.

**11. Universal Physical and Mental Healthcare Access, Facility Administration, and NHI Participation**

11.1. To uphold Section 27 of the Constitution and guarantee access to healthcare for all residents of South Africa, any hospital or registered healthcare provider—whether public or private—shall be required to treat all persons in need of medical care, regardless of payment status, documentation, or citizenship. Such treatment shall be funded through the National Health Insurance (NHI) Fund, to which licensed facilities must submit itemised claims in accordance with national tariff schedules.

11.2. Refusal to provide emergency or essential care on the basis of ability to pay or possession of identity documents shall constitute a rights violation and grounds for professional and institutional sanction. The Minister of Health shall oversee the integration of NHI claims processing and monitor institutional compliance to ensure no citizen is denied care.

- 11.3. This provision should be brought into immediate effect and private providers should provide the Department of Health with the costing monthly.
- 11.4. To address the chronic mismanagement, corruption, and inefficiency undermining public healthcare delivery, a national Public–Private Partnership (PPP) framework shall be established, enabling regulated collaboration between leading private healthcare providers and state hospitals, to ensure the modernisation of state hospitals.
- 11.5. Selected public hospitals shall enter into fixed-term modernisation partnerships with vetted private hospital groups to conduct operational audits; training and infrastructure modernisation proposals; and supply chain reviews. All PPPs shall be overseen by an independent Public Health Integrity Council, with representation from Treasury, the Auditor-General, HPCSA, medical unions, and civil society. The goal of this proposal is to raise public healthcare standards to parity with private sector norms—without commodifying access or undermining public ownership, or “privatisation by stealth”.
- 11.6. To address widespread emotional distress, GBV, trauma, and the psychosocial roots of substance abuse, the state shall establish a national framework for accessible, affordable mental healthcare.
- 11.7. AI systems may only be used for initial triage, not for sustained care, due to the risk of “hallucination”.
- 11.8. Public healthcare facilities shall be required to offer state-subsidised therapy and counselling services, including individual, couple, and group sessions, provided by registered therapists. University psychology departments shall support this through supervised internship programmes at clinics or on-site at their campuses.
- 11.9. All registered medical aid schemes must include outpatient psychological care in their minimum benefit packages.
- 11.10. Additionally, UIF and Skills Development Levies may be partially redirected to fund workplace-based mental wellness initiatives. No citizen shall be denied psychological care on the basis of income or employment status.



## **Economic Inclusion and Job Creation Proposals**

## 11. Economic Inclusion and Job Creation Proposals

At a Gini Coefficient of 0.63, South Africa has the dubious honour of being the most unequal society on earth: more unequal than USA, home to 756 billionaires — against our mere 6.

This chapter proposes legislative reforms to remove red tape for small businesses, promote localisation of industry in historically marginalised communities, and open the economy to job-creation under regulated, equitable conditions.

It further targets predatory practices—such as asset seizure and exploitative profiteering—and offers a pathway toward shared prosperity through inclusive ownership and living wage frameworks. These proposals seek to balance individual economic agency with national development goals, fostering a fairer, more participatory economy aligned with the transformative vision of the Freedom Charter.

These reform proposals aim to rebalance the economic architecture by implementing fiscal fairness, curbing exploitative practices, and unlocking productivity across age, geography, and income level. Measures such as executive pay caps, simplified tax for the self-employed, startup enablement, and land custodianship are aligned with the vision of the Freedom Charter. Furthermore, safeguarding unemployed citizens from punitive banking practices, and expanding employment access for both youth and older workers, reflects a dignified, capability-centred approach to inclusive growth.

The proposed legislative reforms prioritise productive use over possession, skills over paperwork, and utility over rent-seeking—setting a foundation for a just and enabling economy for all.

## **1. High Net-Worth Individual (HNWI) Economic Contribution and Golden Visa Scheme**

- 1.1. To stimulate foreign direct investment and entrepreneurial development, South Africa shall implement a targeted visa and residency incentive scheme for high net-worth individuals (HNWIs). Eligible applicants must possess a verifiable bank balance of no less than R2 million and submit a business proposal demonstrating job creation potential within South Africa.
- 1.2. Priority shall be given to individuals from the Global South diaspora, including African American and Caribbean applicants, who speak a language commonly used in South Africa and possess scarce skills. Incentives may include temporary accommodation, relocation support, and fast-tracked residency.
- 1.3. A condition of participation is that no more than 50% of earnings after immigration may be expatriated. All income generated within South Africa—including through digital platforms such as social media or content creation—shall be subject to local taxation and retention, even if the platforms are based outside the country.

## **2. Reduced Red Tape and Startup Enablement**

- 2.1. To facilitate small business growth and reduce administrative overhead, the Companies and Intellectual Property Commission (CIPC) and the South African Revenue Service (SARS) shall integrate their digital systems.
- 2.2. Company registration through CIPC shall automatically trigger SARS registration and include the following services at no additional cost: Patent search and intellectual property registration (trademarks, copyrights) and; a basic company website and email account, if required.

## **3. Anti-Redundancy and UIF Enhancement**

- 3.1. To protect workers from abrupt displacement or poverty, any employer intending to render an employee redundant must provide written notice at least one year in advance. The employee must acknowledge receipt in writing for the notice to be valid. During the notice period, employers shall attempt to reassign affected workers to comparable roles with no more than a 10% salary reduction. Employees may only be involuntarily released from service if sincere attempts at redeployment within the company or organisation can be demonstrated.
- 3.2. The Unemployment Insurance Fund (UIF) shall be expanded. All unemployed individuals, regardless of demographic status or previous income level, shall be eligible to withdraw accumulated UIF contributions with accrued CPI-linked interest.
- 3.3. In the event that an unemployed citizen lacks UIF savings, they shall nonetheless be instantly eligible for a Basic Income Grant in line with the Covid-19 grant, subject to annual increases.

#### 4. **Asset Seizure Fairness and Dignity Protection**

- 4.1. To uphold the constitutional right to dignity and support economic inclusion, asset forfeiture procedures shall be amended to protect low-income citizens from disproportionate debt collection practices.
- 4.2. Courts shall be required to assess socio-economic impact before authorising seizures. Tools of trade, basic household necessities, and income-generating equipment (e.g. a sole trader's bakkie or sewing machine) may not be seized unless the asset value exceeds R100 000 and a viable replacement is provided.
- 4.3. Debt collection by high-turnover entities against individuals for debts under R 2000 shall be discouraged through write-off incentives. The state shall create a debt ombudsman to mediate low-value disputes and encourage restructuring over seizure. Corporations with a turnover in excess of R 10 000 000 per annum may not prosecute debtors for amounts under R 2000 and shall write the debt off. Corporations shall deploy risk mitigation strategies, e.g. requiring equipment such as modems or cellular telephones to be paid for up-front for cash to reduce losses in the case where a customer is perceived as high-risk or likely to default. The write-off level shall increase with CPI annually.

#### 5. **Financial Transparency and Public Interest Accountability (Faith-Based Entities)**

- 5.1. In line with constitutional principles of equality before the law and fiscal accountability, all religious and faith-based organisations with annual profit income exceeding R250 000 shall be required to register with CIPC and SARS, and submit financial statements annually.
- 5.2. Entities that own property or employ staff must comply with UIF, PAYE, and municipal tax obligations.
- 5.3. Donations and tithes exceeding defined thresholds shall be subject to public benefit organisation (PBO) audit oversight. Non-profit status shall be contingent on demonstrating community reinvestment and social impact beyond doctrinal proselytisation.
- 5.4. Religious institutions engaged in fundraising beyond their congregation shall be required to publish basic transparency reports to prevent abuse of public trust.
- 5.5. Religious institutions shall pay rates and taxes on any and all landholdings unless they have four or fewer congregants.

#### 6. **Green hardware training bill.** As per section on Energy.

#### 7. **Equitable Enterprise Ownership and Wage Justice Amendment.**

- 7.1. In pursuit of the economic justice aims of the Freedom Charter and the National Democratic Revolution, companies shall be incentivised to adopt inclusive ownership models, whereby employees may earn equity linked to salary and tenure.

- 7.2. Government shall establish a progressive wage framework to address excessive income gaps, especially in state-tendered and state-supported companies.
- 7.3. Executive compensation in firms that receive government support shall not exceed 10 times the wage of the lowest-paid worker, unless offset by documented worker shareholding or reinvestment in staff development.
- 7.4. Shareholding schemes in all listed companies must guarantee staff a fair market buyout on exit and share allocation to workers. A national wage equity commission shall be established to assess compliance and make public recommendations.

## **8. NPO/NPC Profit Accountability**

- 8.1. Any non-profit (NPO) or non-profit company (NPC) that generates significant profit shall be required to either: (a) re-register as a for-profit entity and pay standard corporate taxes, or (b) reinvest all profits exceeding the threshold into their core social mission through a verifiable rollover budget. This applies to religious NPOs as well.
- 8.2. No profit surplus may be distributed to directors, shareholders, or trustees of NGOs/NPCs.

## **9. Executive Compensation Cap**

- 9.1. To reduce income inequality and promote equitable wage structures, executive salaries (including CEOs and C-suite officials) shall be capped at a negotiated amount or 100 times the company's lowest wage. This proposal aims to encourage CEOs to ensure that lower workers have a living wage.
- 9.2. Workers shall be given shares in the company as part of the standard package; no longer just UIF, medical aid, leave, etc.
- 9.3. Each company shall be held responsible to ensure that its staff have living wages (covering domicile, transport, school fees, electricity, water, and groceries), especially staff who commute long distances.
- 9.4. Companies in excess of 1000 employees shall insource all workers including cleaners and drivers, and provide them with the same benefits as white-collar workers.
- 9.5. This policy aligns with emerging international practice, including China's financial sector compensation limits (see Bloomberg, 27 June 2024). It also gives expression to the call for ownership of the means of production.

## **10. Banking Fairness and Anti-Punitive Fee**

- 10.1. All persons under the personal income tax threshold or officially declared unemployed shall be exempt from all bank account service fees and maintained on a "Free Citizen" account tier.
- 10.2. Debit orders that fail due to insufficient funds shall not be followed by punitive resubmissions or penalty fees. A failed debit order shall immediately cancel the debit mandate and notify the creditor for repossession or alternative terms.

10.3. Upon declaration of unemployment, all future repayment agreements must be automatically paused and restructured based on affordability calculations derived from the customer's bank transactions.

10.4. UIF disbursements must begin immediately upon registration as insolvent, with banks mandated to report account holders' employment status and ID numbers to UIF for automated processing.

#### **11. Bank Statement Pricing Clause**

11.1. Banks may not charge for statements requested by SARS, CIPC, or the courts. For all other requests, pricing must not exceed R1 per page for paper and R 0 for PDF.

#### **12. Anti-Arbitrary Account Closure**

12.1. No financial institution may close a client's account citing "reputational risk" unless (a) the client has been formally convicted of a crime and/or (b) the client has a zero balance and (c) the client has had one month's notice and had a discussion with the institution on the matter.

12.2. In cases where the client has a positive balance, the client shall be given one month to withdraw and migrate to another institution. In the event that the client is in arrears, the account may only be closed on full settlement.

#### **13. Youth Enablement Fund**

13.1. Upon registration of birth, parents may opt into a state-managed investment fund (under PIC or similar), accumulating savings and returns until the child reaches 18.

13.2. At adulthood, access to this fund shall follow a dual-pot system: a portion available for capital expenses (e.g. education, home deposit), and a portion available as a regular income.

13.3. This complements—but is separate from—NSFAS, SASSA, or other state benefits, enabling financial readiness from birth.

#### **14. Entrepreneurship Enablement and Funding**

14.1. The Department of Trade, Industry and Competition (DTIC) shall maintain an entrepreneurship unit to receive and evaluate standardised business plan applications from any citizen. The DTIC will provide the templates for the entrepreneurs to complete including project plans and Nett Present Value calculators.

14.2. Feasibility will be assessed based on economic need (e.g. AI developers prioritised over low-priority sectors such as domestic cleaning).

14.3. Eligible applicants must have relevant skills, qualifications, or RPL certifications and no major criminal record, especially financial crimes.

14.4. Once approved, entrepreneurs will receive funding disbursed on a salary-like schedule to individual accounts as milestones are reached, while business revenues (income) shall be managed through a separate company account.

- 14.5. Entrepreneurs will be required to agree to a project plan and delivery time-frame to receive funding.
- 14.6. Start-ups will be granted access to support services including patent filing, domain registration, trademarks, and digital tools.
- 14.7. For manufacturing ventures, business cases must outline start-up costs and return-on-investment timelines. A capped number of such projects shall be funded annually based on DTIC's budget. Non-manufacturing ventures (e.g. services, software manufacturers) are not subject to this cap.

## **15. Streamlined Tax for Low-Income Self-Employed**

- 15.1. To reduce administrative burden on SARS and tax compliance for the working poor, this bill proposes simplified tax rules.
- 15.2. Self-employed individuals or those earning between R300 000 and R500 000 per annum may elect to be auto-assessed by SARS based on monthly bank statements.
- 15.3. Entrepreneurs with startup companies that are turning over less than R 500 000 should be given tax exemption until such time as the company either (a) employs its second staff member and (b) turns over more than R 500 000 per annum. Similarly, such companies shall be given VAT Exemption on their goods and services.
- 15.4. The personal income tax threshold should be raised to R 120 000 per annum, and tax only applicable to amounts over that first R 120 000. It shall be assumed that persons who declare themselves self-employed to SARS will remain in this tax bracket until such time as they exceed the R 300 000 amount above.
- 15.5. Self-employed persons being taxed on company tax, where the company only has 1-2 staff members, shall not be obliged to pay PAYE as well since effectively that is double taxation.
- 15.6. All automatically-assessed persons will have the right to challenge their tax obligation assessment.
- 15.7. All debit and deposit references shall be given in a non-opaque manner, so that SARS officials and/or AI automated assessment solutions are able to evaluate whether a debit was entertainment, business, groceries, transport, loan, etc., with accuracy, to ensure automated assessment is simple to implement. For example, instead of "SBIB-MDR MDR000267843 250401" it should say "2025-04-01 SBIC insurance policy no 267843".

## **16. Extended Employability and Flexible Retirement**

- 16.1. The maximum retirement age shall be raised to 75. No individual may be excluded from employment on the basis of age if they demonstrate competence and mental fitness. This cap shall also apply to politicians.
- 16.2. Conversely, teenagers from age 14 may be employed under contract in suitable roles (not work involving illicit substances, alcohol, late night entertainment, or industries that have been previously criminalised).

Teenagers may not be required to work except on weekends and/or school holidays and their working hours shall be agreed to prior to employment.

- 16.3. Teenage employees shall be protected under the Basic Conditions of Employment Act, pay UIF, and be exempt from PAYE until 18. Teenagers may not start companies until reaching age 18.

## **17. Anti-Intellectual Property Squatting and Dormancy**

- 17.1. Web/email domain names (DNS), patents, copyrights, or trademarks that remain unused, un-deployed, or un-commercialised for a continuous five-year period shall be forfeitable under public interest clauses—similar to land expropriation for neglect.
- 17.2. This is to prevent strategic hoarding or patent-squatting by large corporations; to promote innovation, and remove unnecessary legal barriers for emerging entrepreneurs.
- 17.3. Individuals may hold onto DNS names up to ten years, however, they must relinquish them if the name remains unused after that period, as it is understood that an individual may take up to ten years to accumulate the funds to start their business.

## **18. Recognition of Prior Learning for job interviews**

- 18.1. If a citizen applies for a job without qualifications, but assert that they are able to do the job, the recruiter is required to advise the applicant of available universities who can assess their skillset and provide an RPL certificate before the interview.

## **19. Autism Spectrum Disorder (ASD) lenience in the workplace**

- 19.1. Some persons on the ASD spectrum (and other non-neurotypicals) experience social challenges, which makes social situations such as meetings difficult, even if they are competent at their work.
- 19.2. Job candidates who disclose an autism spectrum disorder (ASD) diagnosis should be offered the option of digital interviews or, if interviewed in person, require interviewers to be informed in advance about ASD-related behaviours to ensure fair assessment.
- 19.3. If human resources (HR) is advised that an employee has been diagnosed as having ASD or other related non-neurotypical mental conditions such as ADD/ADHD, HR are obliged to discreetly inform the employee's managers with the employee's permission, to ensure leniency is applied.



## **Land Justice, Productive Use, and Mineral Sovereignty**

## 12. Land Justice, Productive Use, and Mineral Sovereignty

South Africa's persistent economic exclusion and structural inequality stem not only from colonial dispossession and apartheid-era spatial planning but also from present-day barriers to land ownership and foreign ownership of land and minerals (Atuahene, 2014; Moyo, 2014). Despite constitutional progress and decades of democratic governance, South Africa remains burdened by historically entrenched land and mineral ownership patterns rooted in colonial dispossession and apartheid-era privilege (Goga & Valodia, 2022). Vast swathes of fertile land, urban real estate, and mineral wealth remain under-utilised or foreign-controlled, while millions of citizens lack access to secure tenure, housing, and economic opportunity (Atuahene, 2014). This chapter responds to the enduring call of the Freedom Charter—"The land shall be shared among those who work it"—by proposing bold but measured legislative interventions to repurpose idle or speculative land for community benefit, enforce productive use, and restore custodianship of national wealth to the people.

The proposals address the twin imperatives of land equity and mineral justice by prioritising leasehold models, increasing local shareholding, and linking resource use to demonstrable public value (Goga & Valodia, 2022). By limiting non-citizen ownership and enforcing strategic reinvestment and co-ownership models, the reforms seek to unlock economic inclusion, correct spatial injustice, and ensure South Africa's land and mineral wealth supports national development—rather than extracting wealth for offshore elites (Moyo, 2014).

## 1. Anti-Spatial-Apartheid and Micro-Zoning Reform

- 1.1. To dismantle the legacy of apartheid-era spatial planning, municipalities and national departments shall actively pursue zoning reform. Light industry, services, and small businesses shall be permitted in residential areas—particularly in historically disadvantaged communities—under strict nuisance and environmental controls.
- 1.2. Prohibited activities in residential areas include: Recreational drug sales; Sex work (in-person); Animal husbandry beyond six small pets (or total biomass 100kg) or three chickens; Plant farming exceeding 20 plants; Vehicle manufacturing, professional bulk machine repairs, heavy machinery work, or metalworking; alcohol brewing or sale; entertainment causing noise above 55dB.
- 1.3. Permissible trades in residential areas include small-scale food services, small-scale carpentry and furniture work without significant power tool use (drill, lathe and sander only), office work (e.g. accounting, web development), document processing, tutoring/education services (e.g. micro-creche, homeschool), and basic e-commerce fulfilment, provided they serve no more than 8 clients per day, and other digital work including and not limited to “influencer” work and related digital entertainment work.
- 1.4. Municipalities shall operate rapid-response grievance resolution units, with a 48-hour resolution window for complaints concerning noise, health, or traffic nuisance with policing powers to impose nuisance fines of R 1000 on the spot. The rapid-response unit is required to visit the disturbance site within 45 minutes of being called.

## 2. Land Equity and Productive Use Reform

- 2.1. To realise the transformative goals of the Freedom Charter—“*The land shall be shared among those who work it*”—the state shall energise existing national land audit and usage review processes, aiming to convert most colonial legacy ownership to lease agreement systems.
- 2.2. Privately held land that remains unused for over five years may be subject to expropriation for community housing or agricultural development, following existing procedures.
- 2.3. Large-scale under-utilised commercial properties, such as private golf estates, shall be subject to a “land efficiency levy” unless opened for free inclusive community use or rezoned for social development. In particular, they shall be prohibited from water use during water restrictions.
- 2.4. Foreign land ownership shall be limited to leaseholds; all new purchases by non-citizens must demonstrate strategic benefit and local equity participation. Long-term reforms toward state custodianship of land will be guided by phased policy proposals and constitutional alignment. The same shall apply to mining. See following.

- 2.5. In fulfilment of the Freedom Charter's call that "*the national wealth of our country, the heritage of South Africans, shall be restored to the people*", the state shall review all existing private ownership of land and mineral rights.
- 2.6. All rights will over time be devolved to mining lease-rental agreements subject to meeting equity targets of 51% ownership by previously disadvantaged South Africans and community upliftment actions. Agreements which achieve the targets sooner will have longer periods in which to consider the matter of lease-rental options.
- 2.7. All mining rights currently held by foreign corporations or trusts domiciled abroad must be restructured into local majority ownership within five years, with a minimum of 51% equity reserved for South African citizens, prioritising historically disadvantaged communities. New mining rights shall only be issued to entities demonstrating full local reinvestment plans, head office within South Africa, decent labour conditions, and beneficiation within South Africa.
- 2.8. Land or mining operations that remain inactive or speculative for over five years shall be subject to expropriation without compensation for redistribution to productive local operators under a national custodianship framework.
- 2.9. All miners and local employees shall be given shareholding in the parent company in proportion to income, years worked, and age, with older and longer-working employees receiving more shares. The shares awarded shall at least add 33% to their existing wage package value.

### **3. Equitable Land and Investment Sovereignty**

- 3.1. Only Africans may own land in South Africa.
- 3.2. All foreign land interests with industrial purposes — existing and proposed — will require a developmental impact assessment and must demonstrate clear benefit to local communities. Contracts shall only be on the basis long-term lease under strict regulation and meeting the above clause of benefit, not ownership.
- 3.3. Existing foreign land ownership of industrialised land such as farms, quarries and mines will be reviewed with a view to introducing 51% majority co-ownership models with black South African entities, supported by state incentives and trust structures, specifically with entities which bring value and/or support services to the consortium. Fronting in particular will result in wholesale appropriation.
- 3.4. Foreign-owned housing will be converted to a lease agreement using the rates and taxes architecture as the lease payment equivalent.
- 3.5. Factories and job-creating ventures other than mining, quarrying and farming are exempt from this clause.



## **GBV, Sexual Offences, and Digital Protection Reform**

## 13. GBV, Sexual Offences, and Digital Protection Reform

South Africa remains one of the countries most afflicted by gender-based violence (GBV), with femicide rates several times the global average. Despite a robust constitutional framework and repeated national commitments, the lived reality for many women, children, and LGBTQIA+ persons is one of fear, insecurity, and limited access to justice or exit mechanisms. This crisis is exacerbated by socio-economic inequality, poor law enforcement follow-through, and digital technologies that have outpaced existing legal protections.

These reform proposals address the GBV crisis comprehensively—prioritising victim protection, prevention of re-offending, offender rehabilitation, and the safeguarding of vulnerable persons both offline and online. In particular, they respond to gaps in current service delivery by mandating state-funded GBV centres, formalising property seizure and restraining mechanisms for victims, and regulating post-conviction reintegration.

Additionally, the rise of digital abuse—including revenge porn, child image exploitation, and incel-driven radicalisation—demands new legislation to regulate intimate content retention, safeguard minors’ digital identities, and impose strict consequences for online harassment and abuse.<sup>1</sup>

Together, these reforms mark a shift toward survivor-centred justice, rooted in both safety and dignity. They aim to end the cycle of violence through trauma-informed, rights-based, and enforceable interventions that protect individuals before, during, and after harm.

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<sup>1</sup> An “incel” is an involuntary celibate. It refers to a subculture of men online who are unable to find partners and who are radicalised into GBV due to their resentment of their partnerless situation.

## **1. GBV Support Centre Establishment**

- 1.1. To ensure safe and immediate exit from abusive relationships, the state shall establish and fund Gender-Based Violence Support Centres across all major municipalities.
- 1.2. These centres shall provide secure accommodation, trauma counselling, legal support for restraining orders, and halfway house services. Facilities shall be operated under the supervision of local hospitals and staffed with trained personnel, including security guards, to protect victims from further harm.

## **2. GBV-Related Property Seizure and Victim Protection**

- 2.1. Where evidence of physical, emotional, or sexual abuse is substantiated—such as through medical records, video evidence, or sworn affidavits—the victim may apply for the perpetrator’s immediate removal from the shared residence.
- 2.2. Ownership of shared property may be reassigned to the victim, particularly where children are present, subject to judicial review and proportionality of harm.
- 2.3. An automatic interim restraining order shall apply upon confirmation of abuse.
- 2.4. In the case of mutual abuse, including verbal, the partners shall be forcibly separated by the state and provided with anonymised housing at a distance from each other, and each issued a restraining order against the other.

## **3. Repeat GBV Offender Management and Public Safety**

- 3.1. Individuals convicted of multiple acts of GBV—including serial physical abusers and repeat sexual offenders—shall be subjected to extended interventions. These include:
  - 3.1.1. Mandatory psychiatric and behavioural rehabilitation in a non-religious (secular) programme
  - 3.1.2. Financial responsibility for therapy costs incurred by the victim(s), as well as a lifetime obligation to pay a court-determined alimony/maintenance payment
  - 3.1.3. Financial compensation to affected families, where feasible
  - 3.1.4. Permanent restraining orders barring contact or proximity to victims and/or their families
  - 3.1.5. After a five-year restriction period, offenders shall undergo psychiatric evaluation to determine public safety risk. Victims shall be notified of the offender’s impending release and may apply to extend restraining orders indefinitely. Repeat danger assessments shall occur annually if public release is deferred.

#### **4. GBV Offender Reintegration and Workplace Safeguards**

- 4.1. Rehabilitated GBV offenders who have completed sentencing and demonstrated compliance may be assisted in securing employment—limited to non-sensitive sectors with minimal engagement with individuals of the gender previously targeted.
- 4.2. GBV offenders may not be employed in positions of trust involving children, vulnerable adults, or close interpersonal environments (e.g. education, domestic service, healthcare).
- 4.3. Offenders who have been placed in a new employment situation shall be actively monitored for recidivism.

#### **5. Sex Offender Registry and Rehabilitation**

- 5.1. Sex offenders shall:
  - 5.1.1. Attend a mandatory secular rehabilitation programme
  - 5.1.2. Pay therapy costs for victims (where financially feasible)
  - 5.1.3. Be subject to restraining orders covering victims and their families
  - 5.1.4. After five years, psychiatric evaluation shall determine suitability for reintegration. Victims shall be consulted before any lifting of restrictions. Ongoing supervision or restriction shall apply until the offender is deemed no longer a public risk.
- 5.2. Sex offenders may not be employed in positions of trust involving children, vulnerable adults, or close interpersonal environments (e.g. education, domestic service, healthcare).
- 5.3. Rehabilitated sex offenders who have completed sentencing and demonstrated compliance may be assisted in securing employment—limited to non-sensitive sectors with minimal engagement with individuals of the gender previously targeted.

#### **6. Digital Privacy and Revenge Porn Protection Amendment**

- 6.1. No individual may retain or store intimate images, recordings, or messages of a former partner without explicit, written consent of the depicted party. This applies prospectively, not retrospectively.
- 6.2. Upon the termination of a relationship, the possessor of such content must permanently delete all explicit material unless formally permitted to retain it by their former partner.
- 6.3. In line with POPIA and dignity provisions, existing couples must store intimate content in encrypted or password-protected formats to prevent unauthorised access or leaks (or delete it shortly after creating it).
- 6.4. Violations shall carry penalties aligned with digital harassment and POPIA breaches.

## **7. Child Image Privacy and Digital Protection**

- 7.1. Child sexual abuse material (CSAM) is already banned. However, apparently innocent images might be used as CSAM. Therefore, only parents, immediate family, siblings and grandparents may legally store, view, or share images of their family's children, regardless of the child's dress code. Exceptions apply only to:
  - 7.1.1. Professional school photographs, which may be retained for up to one month by the school and/or photographer;
  - 7.1.2. Public images where child faces are redacted, such as in adverts;
  - 7.1.3. AI-generated, non-identifiable images, serving an advertisement purpose, such as stock photography / AI generated children faces;
  - 7.1.4. Public media devoid of nudity or undignified depictions, such as for children's clothing retailers;
  - 7.1.5. However, possession of images of non-family children—except incidental or public class images such as stock photography—may trigger investigation by SAPS.
  - 7.1.6. This law shall apply prospectively only, respecting legacy content held privately.
- 7.2. Print photographs held by a family are not subject to prosecution, provided that the children depicted are family members and are represented in a dignified fashion.
- 7.3. Undignified images/videos of children shall be destroyed. This law shall apply prospectively only, respecting legacy content held privately.

## **8. Abusive or Radicalised Communications and Device Restriction**

- 8.1. Any individual using digital platforms to incite violence, stalk others, issue threats, perform abuse, CSAM or GBV, or promote hatred—especially in the context of gender-based radicalisation or misogynistic subcultures—shall be subject to:
  - 8.1.1. A ban from using mobile phones, tablets, or computers for the duration of state-mandated rehabilitation;
  - 8.1.2. Immediate cancellation of their ISP account and data bundle;
  - 8.1.3. Incarceration, for serious offences;
  - 8.1.4. Institutionalisation in a rehabilitation facility for less serious offences.
- 8.2. This measure addresses the growing threat of digital radicalisation and aligns with international concerns over incel-related violence and online extremist networks.



**Safeguarding Democracy from Militarised Governance**

## 14. Safeguarding Democracy from Militarised Governance

South Africa's democratic constitutional order must never again permit the abuses of military power that characterised the apartheid era. During that time, the state routinely deployed the military to suppress lawful dissent, occupy Black-majority townships, and declare martial law without public or parliamentary consent—most infamously under P.W. Botha's 1985–1988 emergency rule (Hamman, 2020). This authoritarian precedent was echoed, disturbingly, during the COVID-19 lockdown, when the military was again deployed for civilian enforcement. On 10 April 2020, Collins Khosa, a resident of Alexandra, Johannesburg, was allegedly assaulted by soldiers enforcing lockdown regulations. Witnesses reported that soldiers accused Khosa of drinking alcohol in his yard, assaulted him, and left him unable to walk or talk. He died a few hours later from blunt force head injuries (Daily Maverick, 2020). The incident highlighted serious concerns about the use of military force in civilian contexts and the lack of effective oversight mechanisms (ACCORD, n.d.).

These proposed reforms are designed to enshrine civilian supremacy over the military, limit executive overreach, and ensure that never again shall South Africans face the barrel of a state rifle for exercising democratic rights (Brenthurst Foundation, 2019).

## **1. Declaration of War Referendum**

- 1.1. No declaration of war—except in direct self-defence—shall be made by the Republic of South Africa without the outcome of a public, non-anonymous national referendum.
- 1.2. Any citizen voting in favour of a war of aggression (i.e. not in defence of national borders or sovereignty) shall be enlisted for compulsory military service, subject to age and medical eligibility. This ensures that those supporting conflict share in its risks and responsibilities.

## **2. National Border and Wildlife Security Patrols**

- 2.1. During peacetime, the South African National Defence Force (SANDF) shall be redeployed for non-combat patrol operations across all borders, coastlines, and designated conservation areas.
- 2.2. Duties include prevention of: Illegal immigration; Smuggling (goods, weapons, narcotics); Human trafficking; Wildlife poaching.
- 2.3. Any enlisted member found to have wilfully allowed such acts, or failed in their patrol responsibilities without valid cause, may be charged with dereliction of duty, aiding and abetting criminal activity, or treason, depending on the severity of the offence.

## **3. Demilitarised Domestic Policing Act**

- 3.1. To preserve constitutional protections and prevent a return to apartheid-era repression, the SANDF shall not be deployed to manage civilians during: Legal public protests; Standard policing operations; Enforcing civil restrictions (e.g. curfews or lockdowns).
- 3.2. Military deployment shall only occur in the event of a large-scale, unauthorised public disorder where local law enforcement has been demonstrably overwhelmed. All such deployments must be authorised by the Mayor(s) of the affected jurisdiction(s) and subject to parliamentary oversight. In such cases, the military shall fall under the command of the regional police force and their officers, and shall conduct themselves according to policing regulations, including and not limited to how and when force may be deployed.

## **4. Martial Law Restrictions and Oversight**

- 4.1. Martial law may only be declared by the Republic of South Africa through a majority vote in Parliament.
- 4.2. No declaration of martial law may be issued unilaterally by the Cabinet or Presidency, under emergency regulations, without legislative assent.
- 4.3. All martial law declarations shall: Expire after 30 days unless renewed by Parliament; Be subject to immediate judicial review upon challenge; Include full public disclosure of scope, rationale, and geographic limits.



## Education Reform and Curriculum Modernisation Proposals

## 15. Education Reform and Curriculum Modernisation Proposals

South Africa's education system continues to reflect structural inequalities, outdated pedagogies, and a disconnect between school curricula and the socio-economic realities learners face (Amnesty International, 2020; Spaull, 2013). Too often, rural learners are isolated from opportunity, academic degrees are pursued without job prospects, and entire fields of study operate with little relevance to the country's development goals (Amnesty International, 2020). Meanwhile, digital technologies offer new avenues for cost-effective, scalable learning—but are under-utilised due to institutional inertia (Butcher & Hoosen, 2018).

These reforms aim to modernise and decolonise education by making learning accessible, modular, and economically relevant (Heleta, 2016). They embrace digital transformation through online universities and micro-accreditation, while restoring dignity to trades and crafts training. They promote workplace integration through mandatory internships and Recognition of Prior Learning (RPL), ensuring learners can exit the education system with usable credentials—even if they do not complete a full degree (Department of Higher Education and Training [DHET], 2013).

Importantly, these reforms also reimagine the school curriculum, aligning it with Fourth Industrial Revolution (4IR) demands, critical thinking skills, and real-life financial literacy (Samuels, 2024). By separating science subjects, reinforcing computer education, and mandating psychological, mathematical, and civic literacy, this framework seeks to produce informed, skilled, and self-reliant citizens—ready to contribute meaningfully to South Africa's future.

## **1. Rural School Rationalisation and Remote Learning Access**

- 1.1. All rural and peri-urban schools shall be rationalised to optimise resource use and learner outcomes. Where consolidation occurs, the state shall provide free transport (bussing) to centralised facilities.
- 1.2. Where transportation is infeasible, learners shall receive a digital device and internet access for remote learning. These devices shall be clearly marked as Department of Basic Education (DBE) property, and their sale, loan, or transfer is prohibited.

## **2. Online Universities and Reduced-Cost Certification**

- 2.1. All public universities shall be required to make all major academic courses available online, even if this necessitates a reduction in course variety.
- 2.2. Online access shall be free, with students charged only for: Human-driven assessment or moderation of exams and assignments; and, live consultation with lecturers. Fees for such services shall reflect the pro-rata cost of the lecturer's time. Automated assessments and AI may be used by default, with human review optional upon appeal.

## **3. Micro-Accreditation and General Diploma Framework**

- 3.1. Students may list completed modules or partial course completions as micro-accreditations on their CVs.
- 3.2. Example: a student who passes a module on "History of Psychology" may list this achievement even without completing the full degree.
- 3.3. Where students accumulate a substantial set of unrelated or partial modules, they shall be awarded a General Diploma listing all completed coursework, even if not aligned to a major. The minimum requirement for a General Diploma shall be the equivalent of eight full-year courses or sixteen semester courses (i.e. 80% of a bachelor degree, or two years).

## **4. Modular Exit Pathways for Undergraduate Degrees**

- 4.1. All universities shall offer three tiers of undergraduate qualification: Diploma (2 years); Bachelor's Degree (3 years); Honours Degree (4 years). Where a student completes sufficient modules for a diploma, but not for a named qualification, they may be awarded a General Diploma listing their micro-accreditations.

## **5. Recognition of Prior Learning (RPL) and Micro-Accreditation**

- 5.1. Any citizen possessing a demonstrable skill may apply to any public or registered educational institution for free assessment and certification in that field, provided the institution offers formal training in the subject.
- 5.2. No citizen may be denied assessment. Upon successful evaluation, a formal RPL qualification shall be issued.

- 5.3. Job applications may no longer require matric or university degrees except in professional or office-bound environments. In particular, a person with a demonstrable skill who is the best candidate for a role, shall be awarded the role, if they demonstrate the necessary skill. For example, one does not need a matric certificate to be a driver or protector.
- 5.4. Applicants with micro-accreditation or RPL certification must be considered for roles and assessed fairly. Employers must evaluate claimed experience or skill if a candidate requests it, prior to rejection.

## **6. Mandatory Corporate Internships**

- 6.1. All companies employing more than 1 000 staff shall offer at least 5 internships per 1 000 employees. Interns must be accepted unless ineligible due to serious criminal offences (e.g. GBV, fraud, murder, etc).
- 6.2. Internships shall be certified under RPL and recognised by SAQA. They shall: Be paid at a minimum of R8 000/month, subject to CPI; Include pre-paid transport costs; and, be reported annually to DHET, including completion and employment statistics.

## **7. Postgraduate by Publication Standardisation**

- 7.1. All universities shall offer Master's and PhD by publication as a default.
- 7.2. Degrees shall be awarded free of charge and "by publication" when students publish: Four DHET-accredited peer-reviewed articles (Master's); Six DHET-accredited peer-reviewed articles (PhD), unless a student received supervision from a professor at the university, in which case their pro-rata pay rate will apply.
- 7.3. A student may enrol at any university and acquire any number of doctorates or masters' degrees without prior undergraduate degrees, provided that they complete a thesis or the required number of publications in that area of research. This enables talented scholars to acquire further qualifications without having to complete undergraduate or honours courses, so long as they are able to research and publish in the relevant area.

## **8. AI Usage**

- 8.1. A student may not be awarded a degree if they have been found to have substantially used AI/LLMs
- 8.2. In-class in-person assessment can evaluate a student objectively where they can be directly observed to ascertain their level of AI use.
- 8.3. Students may use AI for instructive/formative/learning purposes, but preferably not for assessment tasks or reports due to be handed in, e.g. essays. If they do make such usages, they must declare it and be given permission by the teacher, lecturer or professor concerned.
- 8.4. A university or school may not exclude a student for AI/LLM use unless it is egregious (e.g. it comprises their entire portfolio of work).
- 8.5. All schools and universities must have AI/LLM policies and publish them, and present them to all new students.

## 9. University Enrolment

- 9.1. All universities shall implement a course selection wizard on their website that: Identifies prerequisites and co-requisites; advises the optimal route to a degree or diploma; and enables full enrolment and payment online.
- 9.2. All universities must however cater for in-person enrolment due to the digital divide.

## 10. Decolonised and Relevantised Higher Education

- 10.1. All non-economically relevant courses, particularly in the Humanities, shall be limited to the current number of students per level per year, and not increased, unless explicitly justified to DHET. Exceptions shall be for Sociology and Psychology as they address social ills.
- 10.2. Courses deemed Eurocentric in the Humanities must be offered online-only with automated assessment, unless granted exemption (e.g. Classics).
- 10.3. Education, Humanities, and Arts faculties shall undergo relevantisation aligned with national development goals, specifically decolonisation, Indigenous Knowledge Systems, and Africanisation.
- 10.4. Fields such as Science, Engineering, Medicine, and Commerce are exempt from immediate changes.

## 11. Trades and Crafts Curriculum Restoration

- 11.1. While the DBE has introduced the Three-Stream Model—academic, technical-vocational, and technical-occupational—to cater to diverse learner abilities, implementation remains uneven. The vocational stream targets artisan trades like welding or construction, while the occupational stream focuses on job-readiness skills in areas such as hospitality or retail. In practice, however, schools often lack the resources and infrastructure to offer these streams effectively, and instead there are dedicated schools.
- 11.2. It is recommended, however, that the schools are not disaggregated in this manner. Instead, all government high schools should reinstate practical skills:
  - 11.2.1. Motor mechanics, woodwork, metalwork, welding
  - 11.2.2. Construction, plumbing, electrical work
  - 11.2.3. Home economics, hospitality, catering
  - 11.2.4. Beauty therapy, events, and performing arts production
  - 11.2.5. No government school should offer exclusively academic subjects.
- 11.3. This proposal will create many jobs for additional teachers and provide many learners with alternative career paths. Indeed, it is precisely white collar workers' jobs which have been most impacted and replaced by AI such as ChatGPT. The author has another report on this matter, available on request.

## **12. 4IR College Establishment**

- 12.1. The state shall fund the creation of Fourth Industrial Revolution Colleges/ Faculties on existing university campuses, offering Diplomas and Degrees in: Programming and ICT; Robotics and AI; Blockchain and data science; Bioengineering; 4IR ethics and economics.

## **13. Separation of Physics and Chemistry in Schools**

- 13.1. Secondary schools shall separate Physics and Chemistry into two distinct subjects with different teachers, aligned with university standards.
- 13.2. This allows learners to specialise based on individual aptitude and increases science educator posts.

## **14. Universal Computer Literacy**

- 14.1. All schools shall offer compulsory computer education from age 6, regardless of infrastructure limitations.
- 14.2. Where computer labs are unsafe or unaffordable, content delivery and assessments shall be offered via Android devices supplied by the state.

## **15. Syllabus Modernisation and Interdisciplinary Relevance**

- 15.1. All school syllabi shall be updated to include content that links topics across disciplines (e.g. atomic theory to chemistry, motion to calculus), according to the Finnish model.
- 15.2. All subjects shall emphasise real-world application over rote learning, e.g. not just what are Newton's laws, but how they apply to cars.

## **16. School Introduction of University Topics**

- 16.1. Secondary schools shall introduce university-level topics, even if under the aegis of other topics, to prepare learners for the real world, including:
- 16.1.1. Management, project management (e.g. under Economics)
  - 16.1.2. Sociology, psychology, law, philosophy (e.g. under Life Orientation or a Critical Thinking topic)
- 16.2. Whilst the latter subjects are covered partly in the Life Orientation syllabus, these subjects promote critical thinking, mental wellness, and job readiness.
- 16.3. Psychology in particular is relevant as it specifically addresses challenges faced by South Africans such as GBV, substance abuse, family violence, and relationships.
- 16.4. Critical thinking helps arm children against fake news.

## **17. Compulsory Mathematical Literacy**

- 17.1. Mathematical Literacy shall be compulsory for all learners, as it covers practical uses of mathematics which may not be apparent to learners.
- 17.2. Pure mathematics shall be reserved only for learners with proven aptitude or interest in STEM fields.



## Summary and Conclusion

## 16. Summary and Conclusion

This legislative framework outlines a bold, pragmatic vision for a just South Africa—where dignity, equity, and economic inclusion are legal rights. Learning from decades of stagnation and exclusion, these proposals seek to modernise outdated systems and build inclusive, responsive governance.

The proposals redefine citizenship by codifying clean water, electricity, internet access, and prompt public service as fundamental rights. Consumer protections are strengthened through transparent pricing and fair access to telecoms, health, and finance.

Public sector reform focuses on professionalisation, competency, and measurable outcomes. Corruption is addressed through transparent procurement, enforceable delivery terms, and strengthened contract management across the state.

Education shifts from rote learning to relevance, digitisation, and practical skills. From early school to postgrad, the focus is on 4IR fields, trades, and mental health literacy.

Justice reform emphasises rehabilitation, proportionality, and tackling crime's social roots. Gender-based violence is met with emergency-level responses, victim support, and strict monitoring of repeat offenders.

Economic changes dismantle spatial apartheid, encourage inclusive ownership, and protect workers. NGOs, religious groups, and financial bodies face the same transparency expectations as corporates.

These proposals revive the spirit of the 1955 Freedom Charter for a digital, post-COVID society—pushing for shared resources, decentralised opportunity, and democratic accountability.

This series of proposals is intended to be practical, adaptable, and grounded. South Africa deserves a future where inequality and inefficiency are no longer accepted.

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