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ESSAYS IN HONOUR OF
PROFESSOR EDWELL KASEKE
AND DR MATHIAS NYENTI

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CHAPTER 1

Introduction

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This book aims to honour our late friends and colleagues, Prof Edwell Kaseke and Dr Mathias Nyenti. It comprises contributions on a variety of areas of the honourees' scientific interests – from regional to national perspectives. The book is divided into five parts, namely: General introduction, environment and climate issues, vulnerable groups and categories of persons, indigenous/informal social security and regional perspectives.

Part I, which provides a general introduction, is divided into four chapters. Chapter 1, the current chapter, introduces the book and provides a general overview of the chapters contained in the publication. Chapter 2 by Weiss introduces the reader to the longstanding call for the integration of social security and labour law. This contribution provides a special, overarching reflection on the role and place of social security (law) in a broader legal realm; it serves as a reminder of common roots and therefore the need for the convergence of labour law and social security into 'social law' into the South African context – a matter of utmost importance, although not yet well explored in South African social security law. He illustrates the challenges concomitant to the call for the integration of the two fields of law by focusing on sickness payment, the link between job security and unemployment insurance, short-term work and short-time employment, labour law and old-age pension. The chapter proceeds by discussing new challenges that have emerged due to the inclusion of the so-called 'solo' self-employed and the organisation of continued learning. It argues that the two fields of law, while fulfilling separate but complementary roles, will, with time, be more dependent on each other and will be more integrated.

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In Chapter 3 Chisupa reviews the contribution of Prof Edwell Kaseke to social work in Zimbabwe. He does that with a particular emphasis on the history and development of social work, social work education and training, social work employment and social development as a model of social work practice in Zimbabwe. In conclusion, he argues that Prof Kaseke's role in the advancement of social work in Zimbabwe, Africa and beyond should be acknowledged and celebrated.

Chapter 4 by Mpedi pays tribute to Dr Mathias Nyenti with a particular focus on teaching and learning, research and community engagement. It argues that we must build on Dr Nyenti's sterling contribution in the field of social security in South Africa, Southern Africa and the African continent.

Part II of the book, which is on the environment and climate issues, is perched on two chapters. In Chapter 5 Olivier deals with the need for an enhanced legal framework to address climate change and social protection. This chapter points to the existence of international and regional instruments that endeavour to provide some indicators for appropriate action to address the real challenge of climate change. However, so the chapter argues, these instruments do not comprehensively engage with the issue of social protection from a climate and environmental change perspective. Accordingly, it calls for a comprehensive instrument that would address social protection, and related challenges experienced by vulnerable groups of persons such as migrants, from a climate and environmental change point of view in legal terms and a rights-based framework. The chapter recommends that such an instrument should be adopted at the global level and replicated at regional and country levels.

Noyoo, in Chapter 6, explores the possible role that social work can play in endeavours to deal with climate change in Southern Africa. He does that by paying special attention to the evolution of climate change discourse, why social work matters and new pathways for social work in climate change in Southern Africa. These new pathways proposed in the chapter include the integration of climate change needs into the development planning process.

Part III concentrates on vulnerable groups and categories of persons. In Chapter 7 Govindjee analyses the recent developments regarding access to social security for refugees and asylum seekers in South Africa with an emphasis on the legal framework (the Constitution, international law and related South African legislation) and South African jurisprudence. He concludes by arguing that the Constitution does not differentiate between citizens, refugees and asylum seekers as regards the provision of social security. Therefore, *inter alia*, new social security-related legislation currently being developed (e.g. on National Health Insurance) should explicitly address the plight of refugees and asylum seekers. Chapter 8 by Fourie discusses social protection for women workers in the informal economy from a regional standpoint. It concludes by recommending that regional standards

must be reflected and enforced in national legislation, policies and programmes. Furthermore, to be successful, pertinent regional institutions and instruments require role players to cooperate to eliminate poverty and safeguard prosperity for all. Chinyoka and Patel's Chapter 9 examines the evolution, distinctive characteristics and implication for the future policy of Zimbabwe's agrarian child welfare regime. It argues that the expansion of cash transfers would significantly strengthen the hybrid child welfare regime compatible with Zimbabwean society. In Chapter 10 Mushunje focuses on the options for protecting the vulnerable, especially those engaged in the informal sector, through social protection. The chapter argues strongly for in-depth research to support evidence-based social policy.

Part IV of the book is dedicated to indigenous/informal social security and it consists of three chapters. In Chapter 11 Warria and Chikadzi discuss the role of indigenous social protection as an instrument for protecting children. They propose that social protection programmes should be culturally sensitive to child protection issues. In Chapter 12 Nathane and Khunou examine the extended families' indigenous care and protection of children in the context of poverty and limited state social grants. The chapter concludes that maternal extended families play an important role in the care and social protection of vulnerable children. In addition, the old-age pension and child support grant are the only reliable source of income for extended families covered in their study.

Chapter 13 by Dube and Pretorius is a qualitative study exploring the linkages between formal and informal social security systems with a focus on *stokvels* in Soweto in South Africa. It argues that *stokvels* serve as a rudimentary form of social protection for the poor in South Africa. However, the role of *stokvels*, as a form of informal social security, has not been accorded the policy attention it deserves. It concludes by, *inter alia*, calling for a partnership between the formal and informal sectors to establish a meaningful link between formal and informal social security systems. Dafuleya's Chapter 14 discusses social and mutual assistance in Zimbabwe. It argues that social assistance is limited in Zimbabwe. Given the dire need for such assistance in Zimbabwe, especially amongst children, the chapter argues that social and mutual assistance should complement and reinforce each other. Accordingly, Zimbabwe requires social assistance policies that reinforce and not crowd out mutual assistance.

Part V is the final section of this publication. It is dedicated to regional perspectives. In Chapter 15 Mupedziswa discusses Botswana's social protection system and the lessons offered by that system to the Southern African Development Community (SADC) region. Such lessons include the need for SADC countries to show political will and set up viable social security programmes. Accordingly, a reasonable percentage of the annual budgets of SADC Member States should, similarly to Botswana, be allocated to social protection programmes. The last chapter of the book by Mpedi critically reviews the Portability of Accrued Social Security Benefits within the

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Southern African Development Community Region Policy Framework of 2016. It identifies and critically discusses the opportunities, pitfalls and challenges currently facing the region in its quest to realise the objectives of the Policy Framework. The chapter, while acknowledging that the Policy Framework is soft law, argues that its importance as a precursor to a binding instrument should not be underestimated. However, the chapter argues that, for the Policy Framework to live up to its promise, its provisions, particularly those dealing with administrative measures need to be implemented as a matter of urgency. The chapter argues that there are measures that need to be put in place to ensure, *inter alia*, that the administrative coordination of the portability of social security benefits is enhanced.