

DEMOCRACY, THE SOCIAL STATE & THE ECONOMY

7th Biannual German-South African
Dialogue on Democracy



University of the Western Cape (UWC)
Stellenbosch University (SU)



6 & 7 February 2025

The crisis of democracy, which has been proclaimed so often in the past decades, is arguably also a crisis of the social and economic dimensions of democracy.

Economic globalization, the ascendancy of what is referred to in social theory as a neoliberal governing rationality that reduces citizens to economic actors and treats poverty as the result of individual choices, and growing economic inequality appear to have contributed to the erosion of the social and material basis of democracy and democratic citizenship.

These developments have coincided with changes in governance that make growing segments of the population feel politically voiceless and marginalised.

The problem, it seems, is twofold. On the one hand, poverty and economic inequality erode the legitimacy of representative institutions and deprive some populations of the ability to make themselves heard. On the other hand, wealthy elites and multinational corporations wield disproportionate economic power and political influence; and the regulation of the economy – at the international, national, and subnational levels – becomes insulated from mechanisms designed to promote democratic accountability and responsiveness.

In view of this, the dialogue will consider the following issues:

1. Democracy and the Social State

- To what extent have German and South African constitutional law and jurisprudence accepted that democracy has a material and social basis?
- Which versions of a social understanding of democracy are embedded in the German and South African constitutions, in the concepts of the “Sozialstaat” and transformative constitutionalism, respectively?
- What relationship between constitutional democracy and the economy is presupposed by these two versions of democracy? Which assumptions about the economy inform these constitutional frameworks?

2. The eroding material and social basis of democratic citizenship

- Has the material and social basis of democratic citizenship been eroded? If so, why did that happen? Is it a global phenomenon? Are there significant differences in how these developments play out in different parts of the world?
- Can constitutional norms and developments (e.g., the right to equality, socioeconomic rights, the horizontal application of fundamental rights, and doctrines developed in Germany under the rubric of the “Sozialstaatsprinzip” and in South Africa under transformative constitutionalism) help to remedy these problems? Or are more radical forms of redistribution required?

3. Democratising the economy?

- Have economic policies and decision-making been insulated from democratic control and have they become the province of (national and global) corporate and political elites? If so, how did that happen? What role, if any, has the interpenetration of public and private power (e.g., through campaign financing) played?
- How can the power of those elites be curbed? How can workers, the unemployed, voters, and the demos be empowered to hold economic power accountable? What role can participatory forms of democracy, such as participatory budgeting, play?
- How and to what extent can constitutional mechanisms be used to achieve these goals?

Conference Programme

Thursday 6 February 2025 (Stellenbosch)

Plenary session

Speaker: **Justice Steven Majiedt**
(Constitutional Court of South Africa)

19h00 – 20h30

Friday 7 February 2025 (UWC)

Registration

8h30 – 9h00

Democracy & the Social State

9h00 – 11h00

Chair: **Prof Wessel le Roux** (*Western Cape*)

SA speaker: **Prof Sandy Liebenberg** (*Stellenbosch*)

German speaker: **Prof Michael Rodi** (*Institute for Climate Protection, Energy and Mobility*)

Respondent: **Mr Mbekezile Benjamin** (*Cape Town*)

Tea

11h00 – 11h30

The eroding material and social basis of democratic citizenship

11h30 – 13h30

Chair: **Prof Nils Schaks** (*Basel*)

SA speaker: **Dr Sanele Sibanda** (*Pretoria*)

German speaker: **Ms Sophie Früchtenicht** (*Kassel*)

Respondent: **Prof Jelena Bäuml** (*Leuphana*)

Lunch

13h30 – 14h30

Democratising the economy?

14h30 – 16h30

Chair: **Prof Dominik Steiger** (*Dresden*)

SA speaker: **Prof Henk Botha** (*Stellenbosch*)

German speaker: **Prof Johanna Wolff** (*Osnabrück*)

Respondent: **Dr Ntando Sindane** (*Stellenbosch*)

Conference Dinner

19h00 – 21h00

Conference Language: English

Accessibility:

The venue is barrier-free and handicapped accessible. Please feel free to contact us if you have any further questions in this regard.



Venue:

The plenary session will be held in Room 1023, Old Main Building, Stellenbosch University.

The Dialogue will be held at the Robert Sobukwe Campus of the UWC. Life Sciences Building: Seminar Rooms A1 and 1B.



Registration:

Please register for the Dialogue by **3 February 2025** via e-mail to Adelaide Simons asimons@uwc.ac.za

Please register for the Plenary Session by **29 January 2025** via e-mail to Ms Sibulele Buthelezi-Vala at sibulele@sun.ac.za

Contact:

Prof Wessel le Roux
Department of Public Law and Jurisprudence
University of the Western Cape

Room 206
Law Faculty Building
Robert Sobukwe Drive
Bellville

wleroux@uwc.ac.za

021 959 8334

**DEMOCRACY, THE SOCIAL STATE
& THE ECONOMY**

7th Biannual German-South African
Dialogue on Democracy



University of the Western Cape
Stellenbosch University



6 & 7 February 2025