

THE NEXUS BETWEEN THE RIGHTS TO LIFE AND A BASIC EDUCATION IN SOUTH AFRICA

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SUMMARY

This article aims at exploring the nexus between the fundamental rights to life and to a basic education within the ambit of the legal framework created by both the *Constitution of the Republic of South Africa, 1996* and the *South African Schools Act 84 of 1996*. Attention is drawn to the role of the law to order the living world humans live in an thus creating an emancipated framework allowing individuals a moral and self-sufficient life. The overarching goal of the supreme Constitution is to improve the quality of life of all citizens and ultimately to free everyone's potential. In order to reach this goal and allow everyone to live a dignified life that it is worth living, the importance of education is highlighted.

As important source of education law, the objectives of the *Schools Act*, namely to (a) provide education of a progressively high quality, (b) lay a strong foundation for the development of humans' talents and capabilities, (c) advance democratic transformation, (d) combat discrimination and intolerance, (e) assist the eradication of poverty and the well-being of society, (f) uphold learner rights and (g) promote the acceptance of responsibility are discussed and their practical realisation scrutinised. This lead to the author to establish the nexus between the two fundamental rights and to delineate the prominence of the delivering of a progressively high quality of education is provided to all South Africans to enhance their quality of life.

By taking regard of the role of the law in the sphere of education, the duties placed on all educational role-players to take responsibility for the delivery of educational services and be accountable therefore, are highlighted. The value of education was in this regard stressed in order to enable humans to take responsibility for their own

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lives, the conditions under which they live, the choices they make and the changes they bring about to better their lives.

KEYWORDS: right to life; right to education; law in education; quality; participation; choices; human development; transformation; well-being; responsibility.