Section 29(2) establishes the right to further education. Meaningful access to education can also be seen as a precondition for the realisation of other rights. This right is progressive and corresponds to section 29(1) of the Constitution. This right is only meaningful when it builds children’s capacity to think for themselves and apply what they have learnt in different contexts.

In South Africa schooling is compulsory to the primary level (Article 28). Article 11 of the African Charter on the Rights and Welfare of the Child requires states to make secondary education progressively free and accessible to all. The ideal of universal free education has yet to be achieved in South Africa.

All of these requirements need to be met to ensure meaningful access to education.

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