



Communication and Marketing Department  
Isebe loThungelwano neNtengiso  
Kommunikasie en Bemerkingsdepartement

Private Bag X3, Rondebosch 7701, South Africa  
Welgelegen House, Chapel Road Extension, Rosebank, Cape Town  
Tel: +27 (0) 21 650 5427/5428/5674 Fax: +27 (0) 21 650 5628

[www.uct.ac.za](http://www.uct.ac.za)

9 September 2024

## Decolonise law to reflect plural and diverse patterns of society – UCT study



Ntando Sindane

Photo: Supplied

Current legal definitions of authorship, specifically in the field of copyright law, reflect Euro-American sensitivities, and neglect African ways of thinking and knowing.

By way of Decolonial Theory, Black Marxism and Black Consciousness Philosophy, Ntando Sindane, University of Cape Town (UCT) PhD graduate in [Commercial Law](#), argues in his research that *Abezimu/Badimo* (ancestors) are an author in copyright law, and should be embraced and accepted as such.

Sindane said his thesis, titled "*Abezimu/Badimo* (ancestors) and copyright law: from the Decolonial Turn to the Pluriversal Author", aimed to demonstrate that, in the aftermath of colonialism, there's an unforgivable crisis of laws and legal systems that do not reflect the

plural and diverse patterns of society. Chief among these is the thinking patterns and knowledge traditions of black people.

The thesis focuses on authorship in copyright law from the perspective of knowledge patterns of people from the global South, and particularly black people. He engages in a deeply philosophical and decolonial inquiry to investigate how authorship is understood by black people and argues that this should be reflected in prevailing copyright law systems. Sindane makes a novel contribution to the discipline of intellectual property in his careful demonstration that authorship is inherently pluriversal when studied from the lens of decolonial theory.

A product of the #FeesMustFall movement, Sindane said: "Since 2015/16, I have been thinking quite seriously about the relationship between law and society, investigating whether law reflects society and vice versa."

He said he was drawn to this topic for two reasons. "The movement was vocal and unapologetic in its calls for higher education to be decolonised. This naturally and logically drew me closer to a topic that has to do with proffering decolonial options in the discipline of law. Second, I am a proud Ndebele man from Mpumalanga province – much of my research focus stems from the social, political, spiritual and traditional knowledge systems of amaNdebele wakwa Ndzudza-Mabhoko."

Sindane said there were two significant anecdotal aspects of the thesis; the first is that he relied strictly on scholarly writings written in isiZulu. Most of them are sourced from old dissertations published in the institutional repository of the University of Zululand.

"I quote these texts directly in isiZulu and explain that sometimes it is difficult and almost impossible to explain the essence of *Abezimu/Badimo/Amadlozi/Amathongo* in English. For me, this part of the thesis demonstrably indicates that black people have been engaged in serious scholarly contemplation outside of Eurocentric gaze. Also, the depth of the sources that are written in pure isiZulu helps debunk the myth that our vernaculars are not languages of science and/or strategic contemplation," he said.

Sindane said he also used the legendary artist Gogo Esther Mahlangu as "the embodiment of the meaning of "pluriversal author" – what it means to author, not alone, but with the help of your community, and accepting that, for us black people, a community exists in an unbreakable triad of The Living, The Dead, and The-Yet-To-Born."

Sindane said he hopes that his research makes for a reasonable contribution to a broader and ongoing scholarly conversation about how to think a little bit differently about the law, especially in the context of the afterlife of colonialism and apartheid.

***ENDS***

***Issued by: UCT Communication and Marketing Department***

**Thami Nkwanyane**

**Media Liaison and Monitoring Officer**  
Communication and Marketing Department  
University of Cape Town  
Rondebosch

Tel: (021) 650 5672  
Cell: (072) 563 9500  
Email: [thami.nkwanyane@uct.ac.za](mailto:thami.nkwanyane@uct.ac.za)  
Website: [www.uct.ac.za](http://www.uct.ac.za)