Incomplete ruptures: The political economy of realising socio-economic rights in South Africa[1]

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1 INTRODUCTION

. . .effective redistributive programmes require an actor (or set of actors) with *organisational ability* to allocate resources effectively and the *political ability* to overcome actors and historical processes that would undermine this type of activity.[2]

Despite a radical revision of its political constitution, South Africa's transformation has been more of a transition to a new, internationally and internally acceptable social and economic order than a radical breaking with the past.[3]

. . .change is never just about radical rupture, nor is it just incrementalism – it is always about both feeding off each other.[4]

The South African Constitution[5] has been hailed as one of the best statements of comprehensive citizenship rights in a participatory, pluralist democratic framework.[6] Numerous policies and legislation have been developed that purport to give effect to the Constitutional obligations. Yet, eight years down the track of reconstruction and development, it is unclear how effective policy practices have been in implementing the laudable national development objectives embedded in the Constitution. Public actors and citizens are seemingly drowning in a sea of policy frameworks, performance indicators and ever expanding responsibilities, especially at local government level, without concomitant financial resources.

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2 Johnson & Start 2001: 5. Emphasis in the original.

3 Lester *et al* 2000a: 145.

4 Swilling (forthcoming).

5 The Constitution of the Republic of South Africa Act 108 of 1996.

6 Ahluwalia 2001.

More fundamental, despite having access to a participatory political system and an expansive range of socio-economic rights, it seems as if the situation across a range of social development indicators is worsening for the majority (53%) of South Africans who find themselves in the bottom two quintiles.[7] The desperate conditions confronting the majority of South Africans progress against a backdrop of persistent and profound social divisions along racial, gender and other axes of exclusion as in the (apartheid) past.

The central question that drives this paper is whether the state is equipped, in terms of organisational and political ability, to achieve enough of a radical break (rupture) with the past to make good on the Constitutional commitment to ensure the progressive realisation of socio-economic rights. To arrive at a provisional answer to this question, we explore the state's performance in relation to the context of transition. Specifically, we explore state capability in relation to social development, the bedrock of realising socio-economic rights. However, state capability cannot be de-linked from civil society actions, especially in relation to social development. Consequently, we review state capability in relation to civil society activism on socio-economic rights and pro-poor development policies[8] more generally. To ground the paper we first provide some measure of conceptual clarification and orientation. This is essential since concepts like "citizenship", "civil society" and "democratic developmental state" are not unambiguous and are fundamentally tied to theoretical starting points.

2 CONCEPTUAL STARTING POINTS

This section performs conceptual ground clearing to provide a foundation for the descriptive and analytical reviews that follow. All concepts presented here, and the statement about their linkages, are the subject of complex debates in development studies and postcolonial theory.[9] We do not wish for these understandings to be read as fixed or uncontested, but rather as working assumptions to ground the forthcoming analysis.

At the heart of theories and discourses about socio-economic rights is the idea of citizenship. Projections about the realisation of human rights (denoting the combination of political, civil, social, cultural and economic rights as posited in the Constitution) depend fundamentally on one's theoretical understanding of citizenship, civil society, the state and therefore, politics. Our starting point is a post-Marxist[10] theorisation of the

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7 Since 1994 indicators of poverty and inequality suggest that the gap between the poor and non-poor has widened and inequality is also on the increase. See Bhorat *et al* 2001, Natrass & Seekings 2001, UNDP 2000.

8 Development policy refers to deliberate action by public institutions to promote development (Macintosh 1993). Public institutions include state and non-state actors. In the text we use development policy and public policy interchangeably.

9 *Cf.* Ahluwalia 2001, Ashcroft 2001, Nederveen Pieterse 2001.

10 It is beyond the scope of this paper to get into the debates about what post-Marxism may or may not include. Stuart Sim (1998) provides an excellent overview of these debates and his work refers. We use the label to denote that we work with a radical epistemology that recognises social (including class) contestation as constitutive of social, political and economic relations in society while rejecting any essentialist connotations that may be ascribed to any one identity, whether it be class, gender or ethnicity.

political, which implies a valorisation of radical democracy, social citizenship and an interventionist state. Given South Africa's position in the *existing* liberal capitalist global system,[11] we typify the ideal state form as that of a democratic developmental state, following the framework of Robinson & White.[12] We define the 'developmental state' below.

2.1 Social citizenship

In terms of the classical Marshallian conception:

> citizenship is the relationship between the individual and the state, in which the two are bound together by reciprocal rights and duties. Citizens differ from subjects in that they are full members of their political community, or state, by virtue of the possession of their basic rights.[13]

A more radical definition would further differentiate *social* citizenship to denote the idea that citizens are "entitled to a social minimum, expressed in terms of social and welfare rights"[14] even if they are not necessarily 'legal' or 'productive' members of a national polity. Engin Isin[15] argues strongly for an uncoupling of citizenship rights from the narrow confines of the nation state, precisely because national polities are increasingly characterised by intense fluidity and mobility, especially in developing countries. This search for an unbounded definition of citizenship can broadly be defined as a pursuit of a more politically-aware conception that attempts to transcend the exclusionary logic of 'the nation' – only inclusive of legal citizens.[16] Unbounded citizenship is propelled by shifts in the degree of global inter-dependency, reflected in the concept 'cosmopolitan citizenship'[17] and internal claims to recognise and advance the human rights of 'illegal' and 'marginalised' citizens.[18] This suggests that there is no neat delineation about what exactly citizenship may mean but rather that there is incessant contestation about the boundaries of citizenship and associated rights. These boundaries and their governing rules are never fixed, although whatever the dominant discourse may be will determine the degree of fixity or fluidity.[19]

2.2 Democratic developmental state

A body of theory about the state has emerged at the nexus of political science and development theory. At this crossing, the concept 'developmental state' was coined and elaborated by Andrew Leftwich[20] to capture

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11   See Thomas 2000.

12   Robinson & White 1998.

13   Heywood 2000: 119.

14   *Ibid.*

15   Isin 2000.

16   This unbounded definition also prevails in the 1996 Constitution of South Africa in relation to socio-economic rights and most other rights. If government wants to restrict these rights to nationals, it must demonstrate that the limitation is reasonable and justifiable (Liebenberg & Pillay 2000).

17   Held 1995.

18   *Cf.* Ahluwalia 2001.

19   Rose 2000.

20   Leftwich 1998: 61.

the unique features that characterised "the traditional form of the modern state. . .in late-developing societies".

In popular speech, 'developmental state' is generally equated with an explicit commitment of the state to pursue developmental policies, irrespective of the performance of the state. In South Africa, we tend to refer to the government as a developmental state and even qualify the government's approach to municipal reform as 'developmental local government'. In the definition of Leftwich,[21] the developmental state needs to demonstrate a growth rate of at least 4%. The quintessential examples of the developmental state[22] can be found in East Asia and South-East Asia.[23] A widely shared feature of these states is the privileging of economic development and aggressive redistribution above political democratisation and pluralism.

The value of Leftwich's definition is that it allows us to understand comparatively the central ambition of the post-1994 government, which is to pursue a robust development agenda (elaborated in the Reconstruction and Development Programme – RDP) on the back of strong economic growth (elaborated in the Growth, Employment and Redistribution programme – GEAR). The experience up to now suggests that South Africa reflects an *aspirant* democratic development state, but thus far extols only features of a democratic 'non-developmental' state.[24]

2.3 Apprehending public policies

Because this paper is concerned with the political economy of policy formulation and implementation, it is important to clarify how we understand the policy process. Contrary to the dominant perception, there is no linear link between policy intentions and outcomes. Reasons for this can be summarised as follows:

- Policies are iterative and dynamic as opposed to progressing in a linear fashion from conceptualisation to implementation and then outcomes.[25]

- Public policies can be meaningfully analysed as policy discourses, which means that policy meanings, interpretations and practices are inextricably linked.[26] Policy discourses must be located in variable institutional and organisational contexts[27] to understand how different social

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21 *Ibid.*

22 For an in-depth discussion on the features and historical trajectories of such states, see Leftwich 1998, 2000. Debates on the concept can be consulted in Robinson & White 1998.

23 White 1998.

24 Leftwich 1998: 62. Consult the paper by Chetty in this volume on the growth rate performance of South Africa since 1996.

25 Potter & Subrahmanian 1998.

26 Howarth & Stavrakakis 2000.

27 We follow Teddy Brett's conceptualisation that defines institutions as "norms, rules, habits, customs and routines [. . .] which govern society". Organisations in turn, refer to "groups and individuals bound by some common purpose who come together to achieve joint objectives as actors in society" (Brett 2000: 18). Institutions are fundamental because they influence the function, structure and behaviour of organisations.

actors, with different degrees of power, determine the meanings and applications of a policy.[28]

- Policy formulation, interpretation and implementation are profoundly contested processes, shaped by internal and external fields of power. Therefore, contestation around policy can only be fully understood by relating discourse conflicts to wider fields of power that reach the global sphere.

- Policies and institutional relations mutually shape each other.[29] In other words, policies are adapted and reformulated to fit within the institutional boundary of acceptable behaviour or values, which in turn reflects distinctive power relations. Policies induce institutional change by reformulating the purpose and performance criteria of the organisation.

- Organisations are always in the process of *organising* and therefore constitute a dynamic context characterised by ongoing contestation and accommodation between competing interests and discourses, enacted by purposeful agents.[30] Organisations are therefore prone to be amenable to certain policy discourses but not to others and consequently enhance or undermine the original intent of policies that they are charged with implementing. This feature requires an in-depth analysis of organisational processes, practices, structures and power relations, especially of the constitutive nature of individual agency (shaped by personal ideologies). (Figure 1 below captures some of the dynamics.)

In summary, we do not assume that socio-economic rights are simply conferred and thereafter realised through purposeful action of the state, after which it is simply a matter of tracking whether the state is allocating enough resources to, or enacting legislation for, implementing policies aimed at realisation of socio-economic rights. On the contrary, the realisation of socio-economic rights is a profoundly political process that depends in part on state commitment, prioritisation by political elites and state capability. It is also contingent on civil society mobilisation and pressure to ensure the steadfastness of state commitment and the effectiveness of state capability. Civil society's role, in turn, is shaped by the internal strength and democratic nature of the institutional domain and the coherence between diverse organisations to pursue shared strategic objectives. Specifically, without consistent and purposeful civil society pressure it is unlikely that socio-economic rights will be realised over time. Similarly, without a strong democratic developmental state with significant fractions committed to socio-economic rights it is unlikely that much progress will be achieved in concretising such rights. These two preconditions are dialectically inter-connected and therefore feature in our review of the political economy of the South African transition. For the purpose of

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28 Examples of policy discourses in South Africa include the RDP, GEAR or, more recently, integrated development as defined in the Integrated Sustainable Rural Development Strategy (ISRDS) (RSA 2000a *The Integrated Sustainable Rural Development Strategy* Cape Town: Government Printers). We return to these policy discourses throughout the paper.

29 Chataway *et al* 1999.

30 Flood 1999, Long 2001.

this paper it worth noting that the judiciary and Chapter 9 institutions[31] are located in the political space between these domains and therefore shape the focus of the contestation between civil society and state. This is evidenced in the *Grootboom* case[32] and the legal challenge[33] initiated by the Treatment Action Campaign (the TAC) on the prevention of mother-to-child transmission of the Human Immunodeficiency Virus (HIV).

This conceptual framework informs the remainder of the paper. In the next section we sketch the key episodes of the transition period to clarify the context that has shaped the struggles for the realisation of socio-economic rights. Thereafter, we proceed to review state capability and civil society effectiveness in the political sphere.

Figure 1: Organisation structure, practices and agents
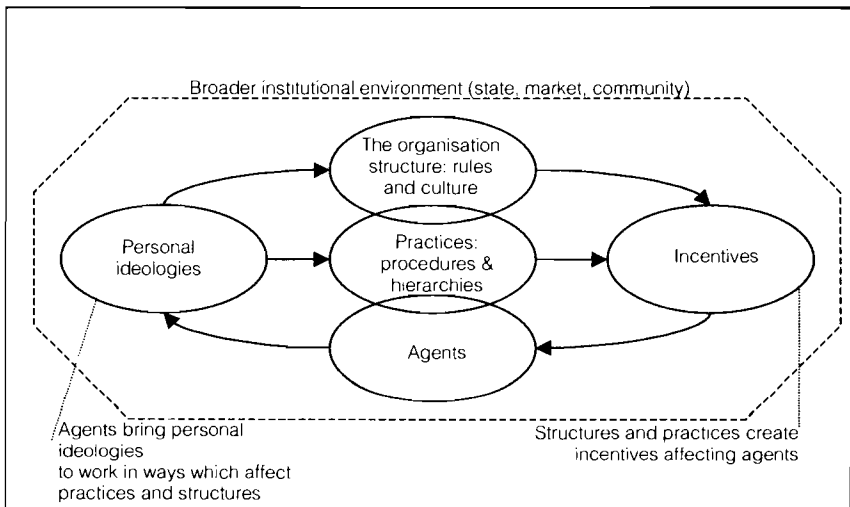
Source: Goetz in Roche 1998: 176.

3 CONTEXTUAL EPISODES

In analysing the political economy of South Africa's transition, it is worth noting that the transition occurred at a time of geopolitical change. The end of the Cold War resulted in a geopolitical realignment and gave rise to the hegemony of the liberal capitalist model underpinned by neo-liberal economic policies.[34] Furthermore, globalisation and the associated increased

31 Ch 9 institutions are state organs established in ch 9 of the South African Constitution to strengthen constitutional democracy, such as the Human Rights Commission, the Commission for Gender Equality and the Public Protector.

32 *Government of the Republic of South Africa and Others v Grootboom and Others* 2001 1 SA 46 (CC), 2000 (11) BCLR 1169 (CC).

33 *Minister of Health and Others v Treatment Action Campaign and Others* 2002 5 SA 721 (CC), 2002 (10) BCLR 1033 (CC) (the *TAC* case).

34 Thomas 2000.

mobility of capital, people, ideas and technology have led to a situation where global developments impact profoundly on national development interventions. These global trends have nudged and shaped the direction of the transition process. Since 1990, three distinct periods can be identified, each characterised by a particular tension.

3.1 1990–1994: Negotiated transition

A key characteristic of the years of political negotiations leading up to the first democratic elections is the fundamental tension between the need to break with the old order while maintaining stability.[35] The exclusionary nature of apartheid, and its legacy of serious infrastructure inequalities (see Box 1), clearly demanded a radical departure from previous policies. Yet the extent to which political stability was under threat from escalating political violence, the power of the apartheid security apparatus and right-wing groups, cannot be underestimated. Between 1990 and 1994, the death toll in political violence reached 14 000, with 22 000 injuries, more than at any single period during the apartheid era.[36] Clearly, the threat of destabilisation had to be factored in. This realisation forced the ANC to make various compromises, such as an executive power sharing agreement (the Government of National Unity – GNU), the 'sunset clause'[37] and provisions related to amnesty.

Crucial outcomes of the negotiations were encompassed in the 1993 interim Constitution. It included the establishment of a liberal democratic system, characterised by universal suffrage and multi-party elections. It made provision for the establishment of the GNU for the first term of the democratic government, and for three distinct spheres of government, with a process of gradual decentralisation. It also entrenched the separation of legislative, executive and judicial powers. The Bill of Rights included some socio-economic rights, which were further elaborated in the 1996 Constitution.[38]

In comparison to the energies vested in the process of political transformation, relatively little attention was given to the transformation of the South African economy, even though the ANC released various economic policy documents.[39] To a certain extent, this is explained by a particular mode of class analysis within the logic of the 'National Democratic Revolution' ideology. There was also an assumption within the ANC that economic

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35 UNDP 2000.

36 Barbarin & Richter 2001: 76. The highest number of deaths in political violence between 1984 and 1998 was recorded in 1993, amounting to 3 794 (SAIRR 2001).

37 The 'sunset clause' protected apartheid-era civil servants from retrenchments. Not only did this have significant implications for efforts to transform the civil service, the fiscal costs proved significant. See, among others, Marais 2001 and UNDP 2000.

38 For example, the 1993 interim Constitution did not include the right to housing or health care, which were subsequently included in the Constitution of 1996. Liebenberg & Pillay 2000.

39 These include the ANC Discussion Document on Economic Policy (1990) and the ANC Economic Policy Guidelines (1992). The ANC also established the Macro Economic Research Group (MERG) in 1991 to develop policy proposals and supported the establishment of the National Economic Forum (later NEDLAC) in October 1992.

transformation would follow once the political transition was completed.[40] Furthermore, although steeped in socialist tradition, there was an increasing realisation (or, at least, perception) within the ANC of the power of global and local capital *vis-à-vis* the state.[41] Following the collapse of the Soviet bloc, the market-driven model to development became the (virtually) undisputed dominant development approach globally. For South Africa, as a newly emerging market, pressures to promote economic competitiveness within a global system were perceived as inescapable – a perception reinforced and legitimated by the 'Washington Consensus'[42] and further fed by well-developed local economic sectors looking to compete on international markets.[43] The massive resources required to address the apartheid backlogs further informed a cautious approach to the local private sector, based on the expectation that this was where significant resources would be generated. This cautious approach became increasingly evident after the first democratic elections.

In 1994, a few months before the democratic elections, the ANC-led alliance released the RDP. The RDP became the election manifesto for the ANC and included clear targets for realising the socio-economic rights of previously disadvantaged social groups. It became a powerful vision for transformation, despite some of its inherent contradictions. In reality, it was ambiguous and open to multiple interpretations[44] – an attribute of most post-apartheid policy frameworks, as we shall see below. The period of negotiations culminated in the first democratic elections in April 1994. With almost 63% of the vote, the ANC was given a clear mandate to work towards realising the socio-economic rights of all South Africans. The historical question remains whether too much was negotiated away, eroding the basis for effective redistribution.

3.2 1994–1999: The first democratic government

The most apt characterisation of the first term of office of the democratically elected government is the tension between social development and economic growth. This tension is embodied in the RDP and the government's macroeconomic policy, GEAR. Often portrayed as two inherently conflicting development approaches (although GEAR advocates would argue that they are complementary), in reality the relationship is more complex. As Blumenfeld argues, "From the outset, the RDP was caught in

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40 Marais 2001.

41 Habib & Padayachee 2000.

42 The Washington Consensus represents the dominant approach to development from the early 1980s to the present as practised by the World Bank and the International Monetary Fund (IMF). It combines a 'normative economic internationalism', which perceives the liberal international economic order as decisive in determining development practice, with a 'methodological nationalism', which attributes national trends to domestic policies. Whereas the first lies beyond the scope of national governments, the second falls within the scope of government policy. Gore 2000: 792-793.

43 In particular, the mining and financial sectors needed greater access to a global economy as the national economy offered little scope for expansion. Marais 2001.

44 Blumenfeld 1997, UNDP 2000.

the evolving ideological struggle between radicals and pragmatists within the ANC alliance over the fundamentals of economic policy". [45] This was increasingly the case after the *White Paper on Reconstruction and Development* was passed in November 1994. It entailed a significant revision of the original RDP as far as economic policy was concerned, denoting an explicit (although not exclusive) shift to a market ideology. [46] Until the sudden abolition of the RDP office in 1996, the RDP served the purpose of coordinating and integrating departmental interventions in terms of a basic needs and participatory development discourse.

GEAR, on the other hand, is – at least in its intent – not antagonistic to the RDP. Instead, it is based on a premise that improved economic performance is necessary to sustain social development. [47] It emphasises the importance of redistribution in government expenditure priorities and the role of sectoral policies in meeting basic needs and improving service delivery. [48] However, the neoliberal instruments adopted to achieve this have thus far served to undermine its broader policy intent.

The contradictory pressures of social development (based on equity) and a market-oriented approach to economic growth are also embedded in the policy frameworks of the post-apartheid government. The 1994–1999 period was characterised by extensive policy and legislative transformation. The 1996 Constitution has been heralded as one of the most progressive constitutional frameworks internationally. [49] In particular, the equality clause and the inclusion of socio-economic rights like food and water, housing and land, education, health and welfare have gained it international recognition. Of the 532 Acts passed during this period, 87 deal explicitly with the realisation of socio-economic rights contained in the Constitution. [50] Whereas some perceive the inherent ambiguity of policy frameworks as a central weakness of current policy frameworks, it does reflect the variety of interests in South Africa as a 'two-nation' society. [51] Furthermore, the ambiguity of policy documents can be attributed, to a large extent, to the active engagement of various interest groups in public participation processes, itself a characteristic of the new dispensation. Thus, depending on one's ideological standpoint, the fact that policy frameworks are open to interpretation can be considered both a strength and a weakness. In essence, such inherent ambiguity not only makes dialogue essential, it also creates the political space for ongoing dialogue and contestation to occur.

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45 Blumenfeld 1997: 77.

46 Blumenfeld 1997, Marais 2001, UNDP 2000.

47 Department of Finance 1996.

48 Cheru 2001.

49 The 1996 Constitution was the product of extensive civil society engagement, as highlighted by Liebenberg in this volume, and Liebenberg & Pillay 2000.

50 UNDP 2000.

51 The concept was coined in 1998 by then Vice-President Thabo Mbeki to highlight the stark contrast between privilege and deprivation in South African society. Mbeki 1998: 68–76.

This period also saw the introduction of budgetary reform[52] and the start of a significant process of transforming the public sector, perceived as a precondition for building capacity to realise socio-economic rights and sustainable development. The transformation of the public sector clearly embodied the contradictory imperatives of breaking with the past and ensuring continuity.[53] It also, increasingly, became subject to the tension between social development and the macroeconomic strategy pursued by the government. Whereas the 1995 *White Paper on the Transformation of the Public Service* was perceived to be "firmly located within the broad developmental and people-driven paradigm established by the RDP",[54] subsequent interpretations emphasised aspects of the transformation process in line with the New Public Management dogma. Thus, the neo-liberal paradigm increasingly determined the options available to transform the (undeniably lopsided and ill-equipped) public sector by advocating strategies such as rationalisation, 'downsizing' (often prioritised over 'rightsizing'), public-private partnerships, and the privatisation of parastatals and key state assets.

Despite the government's adoption of the RDP and GEAR, both of which, according to the government, intended to facilitate economic growth and social development, the economy continued to shed jobs, a trend that predated the democratic dispensation.[55] Economic growth remained significantly below initial projections, as did levels of foreign direct investment.[56] Yet, notwithstanding the valid criticism of the retreat of government from the economic sphere, there are also impressive achievements in relation to socio-economic development through basic service delivery (see Annexure A). Reflecting on the multifarious challenges facing the post-apartheid state at political, administrative, social and economic levels (all requiring immediate attention), these achievements should not be underestimated. In the midst of these pressures and challenges, and confronted by the insoluble contradictions of being an aspirant democratic developmental state, it is probably not surprising that a largely inexperienced political leadership has made mistakes, misjudged the balance of interests and has erred on the side of caution rather than radicalism, as evidenced in conservative macroeconomic policy choices.

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52 Budgetary reform included unconsolidated budget allocations from national to provincial government since 1997 to allow for greater provincial discretion on expenditure. In the 1998/99 fiscal year, the Medium-Term Expenditure Framework was introduced, which meant that a three-year budget cycle replaced the annual budget cycle of government departments.

53 The 'sunset clause' was adopted to protect the interests of civil servants of the old apartheid administration and various homeland bureaucracies, and the political interests they were seen to represent. This led to a bloated public sector, which was further characterised by fragmentation and duplication, corruption and mismanagement of resources, and a serious lack of representivity. UNDP 2000: 108.

54 UNDP 2000: 109.

55 The labour absorption capacity of the economy declined from 97% in the 1960s to 7% between 1985 and 1990. In his Budget Speech of 1994, then Minister of Finance Derek Keys suggested that between 1989 and 1993 more than 400 000 jobs were lost in the formal sector (excluding agriculture) (in Marais 2001:103). Since 1994, over 500 000 jobs have been lost (UNDP 2000: 32).

56 See Chetty 2002.

Yet, it would be an error to read this period as merely the triumph of neo-liberal discourses over social development ones. As alluded to in the previous section, the factors that influence and shape the specific policy practices of various government departments and fractions can only be fully appreciated through detailed analysis of specific programmes in localities. It is in these localities that purposeful actors negotiate the tension between the two paradigms.

3.3 1999–current: The second democratic government

The fact that the first five years of democratic government have led to a significant improvement in the lives of ordinary South Africans was highlighted by a survey conducted by NEDLAC and released in June 2000. Close to 50% of respondents indicated that the provision of water, housing and health had improved since 1994.[57] However, the survey also revealed significant discrepancies between urban and rural areas in the provision of social services. Job creation and welfare grants were highlighted as particularly problematic areas. Equally mixed observations were expressed at a workshop in 1999, with all participants indicating fundamental changes at the political level, but slow and contradictory changes in relation to social and economic rights (UNDP 2000). This slow pace of delivery poses a key challenge to the second democratic government. In his address at the opening of the new parliament on 25 June 1999, President Thabo Mbeki clearly set the tone for the next term of office by emphasising the need to accelerate service provision:

> It is . . . vital that we improve the quality of spending in these areas and therefore the delivery of services to the people. This will be done by . . . ensuring an integrated, inter-departmental approach to the delivery of services.[58]

One of the key tensions characterising this period in which delivery is emphasised will be the tension between centralisation and decentralisation. Whereas provincial and local government are mainly (and, in the case of local government, increasingly) responsible for the delivery of social services, both spheres of government are riddled with capacity problems and resource constraints and are currently undergoing major processes of institutional transformation. This has implications for the realisation of socio-economic development.

Concomitant with the decentralisation trend, there has been a significant shift to centralise coordination in the President's office in an attempt to overcome poor coordination between departments and spheres of government, following the recommendations of the Presidential Review Commission of 1998.[59] The increasing emphasis on integrated development and policy integration has also influenced this trend.[60] The implications of

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57 Cawthra *et al* 2001.

58 Mbeki 1999: 9.

59 UNDP 2000.

60 Steps taken to give effect to greater integration include the establishment of six Cabinet Committee Clusters, including a Social Sector Cluster. The emphasis on integrated development is also evident in the ISRDS and the Urban Renewal Programme (URP), both of which require implementation at local level through the Integrated Development Plan (IDP) (DEAT 2001).

policy centralisation and integrated governance will be discussed further below.

Furthermore, during the present term of the National Assembly, government will increasingly be faced with challenges from civil society, which is expected to use the multiple avenues available to it to lay claims on the state (e.g. through marches, demonstrations, policy submissions, court challenges, etc.). In this regard, the *Grootboom* case is considered a watershed.[61] The first of its kind, the Constitutional Court ruling in October 2000 "established the realisation of social and economic rights for the poor as a prerequisite for the enjoyment of other rights, including civil and political rights".[62] Significantly, it made social and economic rights enforceable, though qualified by reference to "available resources". It seems likely that the judiciary will play an increasingly prominent role in efforts to enforce government's duties with regard to socio-economic rights. The more recent Constitutional Court ruling in favour of the TAC, forcing the state to put in place an implementation programme for the prevention of mother-to-child transmission of HIV, seems to further attest to this. The experiences of the TAC will be elaborated on below.

3.4 Distilling patterns of policy management to achieve social development

In idealised form the logic of the government's development agenda since 1996 can be summarised as follows:

1   Ensure macroeconomic stability through GEAR and a government-wide and -aligned medium-term budgetary system.

2   Achieve rapid institutional transformation of the public sector to gear it up for delivery. This includes widespread public sector reform through:

   (a) decentralisation of service delivery functions and roles to provincial and municipal government;

   (b) improved policy coordination and alignment, located at the apex of government, the Presidency;

   (c) creating a performance culture across the public sector and municipal government through a plethora of efficiency-inducing measures;

   (d) stimulating greater citizen involvement through corporatist reforms (e.g. NEDLAC) and participatory involvement in various planning and monitoring systems, especially at municipal level (e.g. the Integrated Development Plan – IDP); and

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61   The *Grootboom* case was initiated by a group of people from an informal settlement demanding that the government provide them with adequate basic shelter until they obtained permanent accommodation. *Grootboom, supra* note 32. For a more detailed description and analysis of the *Grootboom* case, see Liebenberg in this volume.

62   Cawthra *et al* 2001: 93.

(e) expanding the reach of the state through a catalogue of partnership arrangements, mainly with the private sector, but also with civil society organisations as elaborated in various government policies, for example the *White Paper on the Transformation of the Public Service*,[63] the *White Paper on Municipal Partnerships*[64] and the Strategic Framework for Delivering Public Services through Public-Private Partnerships.[65]

3 Focus on delivering essential services as rapidly and efficiently as possible in line with the overarching imperative of maintaining macro-economic stability.

Within this overarching framework, sectoral departments have been given a lot of scope to define the optimal policy frameworks (and associated programmes) to realise their respective objectives. As a result, South Africa boasts numerous policy frameworks that can be regarded as 'cutting edge' across a variety of fronts, such as environmental policies, the emerging local governance system, community-based public works programmes, etcetera.[66] However, these policies confront numerous obstacles at the coalface of implementation. It is precisely this frustration that marks current contestation within government, between the government and civil society organisations, and between the government and the private sector.[67]

It is undeniable that the democratically elected government has made impressive strides in addressing the vast backlogs in basic services bequeathed by the apartheid era. Considering the scale of challenges implied in reorienting the public sector while simultaneously getting ministers and senior managers up to speed with the policy and institutional priorities to ensure reprioritisation and delivery, the achievements listed in Annexure A are significant. If one further locates South Africa in a comparative framework with other African states in particular, it is indeed impressive, given that it was achieved in an eight year period (Sandbrook 2000). Nonetheless, the scale of the challenge remains daunting (see Box 1) and the continued inefficiency and lack of performance across the public sector, for which there is widespread evidence, are profound obstacles to the realisation of socio-economic rights. The inability of the public sector to rise to the challenge is particularly apparent in the movement towards a more integrated approach to social development. We now turn to exploring this problem more closely.

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63 RSA 1995 *The White Paper on the Transformation of the Public Service* Cape Town: Government Printers.

64 RSA 2000 *The White Paper on Municipal Partnerships* Cape Town: Government Printers.

65 Department of Finance 2001.

66 *Cf* DEAT 2001, Everatt & Zulu 2001, UNDP 2000.

67 Here we have in mind ongoing conflicts regarding the best approach to deal with unemployment, crime, poor education, HIV/AIDS and land reform, among others (see Lester *et al* 2000b; Marais 2001).

Box 1. Selected indicators of social and economic inequalities in South Africa[68]

Poverty and income inequalities:

- In 1995, 49.9% of the population lived below the poverty line (measured by a monthly income of R353). This means that about 19 million citizens lived in absolute poverty at that time.
- 61% of Africans, 38% of Coloureds, 5% of Indians and 1% of Whites were poor in that year.
- 60% of female-headed households were poor, compared to 31% of male-headed households.
- In 1996, 72% of the poor lived in rural areas, with the highest poverty rates in the Northern Province (78%), Eastern Cape (74%) and Mpumalanga (64%).
- The Gini coefficient (a measure indicating inequality on the scale of 0 to 1) rose from 0.73 in 1995 to 0.8 in 1998.
- In 1996, Whites made up the largest group of people in the highest income group (65%), followed by African (22%), Coloureds (7%) and Indians (5%). At the same time, 90% of the poorest households were African, 5% were White, 4% were Coloured and 1% were Indian.

Unemployment:[69]

- In 1999, the unemployment rate was 36.2%. Unemployment was highest in the Northern Province (50 2%), followed by the Eastern Cape (46.7%), North West Province (42 1%) and KwaZulu-Natal (37.8%). The lowest un-employment rate was in the Western Cape (18.9%).
- The unemployment rate 44.0% among Africans, 23.6% among Coloureds, 20.2% among Indians and 6.8% among Whites.

Water and sanitation:

- In 1999, 39% of all households had piped water inside their dwellings and 27% had access to a tap on site.
- Only 21% of Africans had piped water in their dwellings, compared to 96% of Indians and 97% of Whites.
- In the same year, 54% of all households had a flush toilet in their dwellings or on site, whereas the rest had access to a pit latrine (30%) or a bucket latrine (3%) or had no sanitation facility (9%)
- Between 1995 and 1999, 72 000 rural households lost access to flush or chemical toilets because of their inability to pay for the service.

Education:

- In 1999, 14.8% of the African population of 20 years and over had had no schooling, compared to 0.2% of the White population.
- Only 1.5% of the African population of 20 years and over had accessed higher education, compared to 16.5% of the White population.

Health:

- One in five children in South Africa is affected by malnutrition.
- The ratio of medical practitioner to population is 1:4 452 in the public sector, compared to 1:389 in the private sector.

Housing and land:

- In 2000 the housing shortage was estimated at between three and four million units.

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68 May 2000, SAIRR 2001a, 2001b, UNDP 2000.
69 This is based on the 'expanded' definition of unemployment of Stats SA. SAIRR 2001a: 378.

4 STATE CAPABILITY

The key variable to understand in reflecting on the political economy of the transition is *state capability*. We use the term to denote the combination of state capacity in terms of adopting sound policies, adequate human skills, appropriate institutional procedures and norms, and sufficient critical mass of committed individual actors to make the reform process successful. If all of these elements are not in place in a reinforcing circle, it is very difficult to achieve transformation of the state and its bureaucracies.[70]

Since the inauguration of President Mbeki in 1999, the government has recognised the necessity of moving service delivery efforts onto a more integrated footing. This is related to achieving maximum efficiency out of infrastructure investments and ensuring that development interventions are responsive to community needs.[71] The efficiency imperatives arise out of the realisation that uncoordinated infrastructure investments easily lead to duplication, wastage and so-called white elephants.[72] More recently, there is a recognition that not only must infrastructure investments be properly coordinated and sequenced, they must also spark (community-based) local economic development.[73] The government has also accepted the efficacy of community participation in development processes, because new infrastructure needs to be maintained. If communities (and their municipalities) are not involved in deciding on the construction of essential infrastructure, it may go unused or even suffer vandalism. A situation may also result in which communities are unwilling to pay for the maintenance of infrastructure. In other words, in practical terms the government's commitment to participatory development processes is often an *instrumentalist* concern, even though the formal policy statements tend to be more sophisticated.[74]

In this section, we posit that due to the interrelationship between socio-economic rights, their effective realisation depends on an integrated approach to development. In the *Grootboom* case, the Court also emphasised the 'interconnectedness' of socio-economic rights and indicated that this would be taken into consideration in its assessment of the performance of the state.[75] However, 'integrated development' is much easier said than achieved. It even has a nice rhetorical ring to it. Integrated development denotes the importance of balance and linkage between the environmental,

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70 It would detract from our main argument here to explore the democratic nature of the state as an integral part of fostering state capability towards realising socio-economic rights. Suffice to say that achieving optimal state capability outside of a politicised understanding of the state's role in deepening democratic cultures in the state and civil society would be counter-productive to achieving social justice imperatives. In fact, it easily slips into the kind of technocratic institutional behaviour that we criticise below.

71 Fraser-Moleketi 2001.

72 Evaluation studies are producing evidence of this problem. For examples pertaining to rural development programmes, see Everatt & Zulu 2001.

73 *Cf.* RSA 2000.

74 This is informed by the evidence from evaluation studies of rural development programmes (Everatt & Zulu 2001) and municipal development initiatives (Palmer Development Group 1997).

75 *Grootboom, supra* note 32, par 24.

economic, political, social, cultural and personal (including spiritual) dimensions of life in the deliberate pursuit of human flourishing.[76] The complexity that this implies means there will invariably be contestation about what integrated development means and how to realise it at various scales and at different moments in history.[77] This unavoidable debate and contestation about *meaning* is central. Successful development strategies require perforce the effective coordination and cooperation between various institutional spheres (civil society, the state and corporate sector) and the vertical connection between various scales, ranging from the individual and the household to the highest forms of global organisation.[78] (Friedmann 1992). The permanent conflict implicit in seeking coordination and cooperation is a necessary and healthy aspect of integrated development, because this is exactly how public spheres are democratised. More specifically, this is where the exercise of social citizenship finds its fullest expression.

Integrated development implies various institutional and organisational mechanisms to achieve a shared understanding and approach to the delivery of social services. It is also a long-term ideal that is realised through incremental achievements that gain in complexity over time. Earlier we elaborated the government's recent institutional reform initiatives aimed at achieving improved capacity to pursue integrated development through service delivery. This must be considered in relation to the response of civil society organisations and the larger contradictions in the state's national development project. The contradictions manifest as 'obstacles' to achieving institutional reorganisation to pursue integrated development. For the sake of argument, we highlight a few obvious obstacles:

- Lack of capacity at municipal level to produce integrated development plans that are rooted in community needs and premised on effective participatory processes.

- Public sector financial and administrative rules that militate against joint programmes between government departments, effectively forcing departments to work on a sectoral basis.

- The lack of a critical mass of committed public sector officials with the requisite knowledge and skills to drive the transformatory aspects of new policy frameworks.

- Lack of development programme management skills in the public sector to adequately design, implement and sustain integrated programmes.[79]

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76 Ife 1995, Roseland 2000.

77 Friedmann 1992, Nederveen Pieterse 2001. See Pieterse 2001: 43 44 for a discussion on the various dimensions of integrated development in greater depth, with reference to the implications for structuring organisational and institutional relations to contribute positively to its realisation.

78 Friedmann 1992.

79 These observations are based on Pieterse 2001 and a review of internal government reports with regard to the roll out of the ISRDP and URP. The documents are available from the authors.

These are all complex institutional problems underpinned by deep ideo-logical and political conflicts within the public sector. Unless a sufficient mass of public servants is committed to the realisation of this approach, it is unlikely to materialise (see Figure 1 above). No amount of budgetary and planning reforms can induce effective integrated planning. Such reforms must be combined with effective political pressure and incen-tives, appropriate civil society engagement and, crucially, attitudinal shifts among public servants.[80] However, this is not fully acknowledged nor understood by political leaders, as evidenced in the over-reliance on technocratic fixes to achieve coordinated governance and integrated development. This is the dangerous side of the recent government initia-tives. At the same time, it highlights the importance of effective civil society engagement to expose this potentially shallow approach and provide alternatives that are more likely to advance thorough integrated development. At question are whether civil society organisations are ready for this task and what the nature is of the democratic spaces avail-able for critique and engagement.

5 CIVIL SOCIETY'S ROLES IN REALISING SOCIO-ECONOMIC RIGHTS

Our analysis turns to how we understand 'effective civil society engage-ment' with the state towards the realisation of socio-economic rights. Typically, civil society comprises:

> the array of people's organisations, voluntary associations, religious bodies, representative organs, NGDOs [non-governmental development organisations], foundations and social movements which may be formal or informal in nature, and which are not part of government or political parties, and are not estab-lished to make profits for their owners.[81]

Significantly, we do not adopt a normative definition, thereby accepting that civil society also consists of numerous uncivil and undemocratic formations. In other words, all formations between the state and the family are considered as part of the civil society domain, regardless of their politics or type of activity. Crucially, civil society must be understood in relation to three other domains of social practice: the state, the political sphere and the corporate economy.[82] The boundaries between these are not clear-cut, but are always shifting in the wake of social struggles. Effective democratisation requires a strong state and vibrant civil society and political struggles to democratise both domains.[83]

Building on this definition of civil society, we further distinguish devel-opment civil society organisations (CSOs), which include organisations

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80 Heller 2001, Tendler 1997, White & Robinson 1998.

81 Fowler 1997: 8. In South Africa, the distinction between civil society organisations and political parties is less clear, as political parties have large membership structures at grassroots levels that arguably form an integral part of civil society. Swilling & Russel 2001.

82 Adapted from Friedmann 1992.

83 Abers 2000, Heller 2001, Fung & Wright 2001.

that define themselves in relation to societal initiatives aimed at the improvement of livelihoods of the poor and the larger institutions that enable it. The following analysis only pertains to development CSOs but we simply speak of CSOs as shorthand to improve readability.

Civil society can be said to be effective when it is able to:

(i) engage in purpose-driven policy advocacy that influences the behaviour of the state and deepens democratic cultures;

(ii) advance effective service delivery models to reduce poverty and inequality; and

(iii) sustain a mutually reinforcing linkage between (i) and (ii).

The ability of civil society organisations to be effective in this sense rests on the democratic nature of CSOs, the civil society domain as a whole and the larger political sphere.

Empirically, South Africa possesses a large and diverse range of CSOs.[84] According to a recent survey undertaken by Wits University, there are 98 920 non-profit organisations (NPOs)[85] across all sectors in South Africa. In addition, "nearly 1,5million volunteers actively contributed their time and energy to NPOs".[86] Of the 98 920 NPOs, 53% are in fact informal voluntary organisations concentrated in poorer communities. This means these organisations are not formally structured as section 21 companies, trusts, churches, trade unions or cooperatives.[87] This dramatic statistic points to the significant sources of social capital[88] in poor communities that serve as the bedrock for holding these communities together despite the severity of everyday life (as implied in Box 1). Realising socio-economic rights requires that social development programmes reach communities where these associations predominate in order to establish effective service delivery partnerships towards the eradication of poverty and unemployment. The challenge lies with both government agencies and formal CSOs to establish such partnerships. Evidence about the difficulties encountered in making rural development and poverty reduction programmes work shows that both are ill equipped for the task at the moment.[89]

It is vital to recognise that state effectiveness is unlikely to improve in the absence of political empowerment and mobilisation of grassroots organisations in poor communities.[90] Thus, in addition to the pursuit of establishing effective service delivery partnerships, there is a further need to advance the political empowerment of grassroots formations through the pursuit of 'community management' capability. Community management

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84 Swilling & Russel 2001.

85 *The South African non-profit sector* uses the term non-profit sector to denote organisations that comply with the following criteria: organised, private, self-governing, non-profit distributing and voluntary (see Swilling & Russel 2001 for a detailed elaboration).

86 Swilling & Russel 2001: 10.

87 *Ibid* 11.

88 Social capital denotes the trust, reciprocal arrangements and social networks that link people in a community. Moser 1996.

89 Everatt & Zulu 2001. Pillay 2001.

90 Heller 2001.

capability refers to analytical, planning, monitoring and evaluation skills, which enable local organisations to recognise and deal with various social differences (and inequalities) and to be proficient in procedures to hold community leaders accountable.[91] Such organisational capacities undermine patronage politics and produce targeted mobilisations to exact concrete demands from municipalities and other components of the state. These capacities inform a democratic awareness that enables grassroots organisations to see the interlinkage between service delivery and community mobilisation to apply political pressure on government institutions. At the moment, the space for such an approach to emerge is limited because of the significant political demobilisation of civil society that has set in since the 1994 democratic transition.

In addition to grassroots formations, there continues to be a substantial range of formally constituted CSOs that can be disaggregated as trade unions, religious organisations, non-governmental organisations (NGOs) and membership-based community-based organisations (CBOs). Challenges facing these intermediary (between the state and the grassroots) organisations, committed to sustainable social development, include:

- achieving organisational effectiveness that manifests in actions that are consistent with purpose of an organisation and therefore result in achieving developmental impact;

- establishing effective communication channels through strong networks to ensure greater impact in terms of their respective and collective missions;

- forging coherence on key policy questions to ensure an effective counterweight to state and corporate sector pressures to dilute redistributive and social justice imperatives;

- becoming informed about the detailed functioning of the state from its macro systems down to specific procedures within specific programmes and, furthermore, how such institutional systems relate to macroeconomic logics;

- improving capacity to be effective in the delivery of social services aimed at reducing poverty and vulnerability in partnership-based institutional frameworks (i.e. partnerships with informal grassroots associations discussed above and of course with bureaucracies of the government and, in certain circumstances, with the corporate sector); and

- learning how to articulate social struggles at various scales given the constitutive inter-dependency between the global, national and the local.[92]

These challenges are a tall order, by any standard, and it will take time and dedicated effort to see progress on these multiple fronts. However, the last eight years has been a dramatic period of experimentation that holds many lessons for the future. A few general comments about civil society mobilisation on socio-economic rights in the recent past are

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91   Lüdeking & Williams 1999.
92   See Pieterse & Lipietz 2000.

appropriate. Thereafter, we explore one of the more promising examples of collective social struggle in greater detail. Clearly, in the context of this paper we cannot do justice to the depth and complexity of these civil society campaigns. The purpose of the following discussion is merely to illustrate the conceptual points made above.

5.1 Key instances of civil society mobilisation

One of the first and most significant efforts of CSOs to address socio-economic rights in the post-1994 period was the War on Poverty Campaign (WPC) spearheaded by the South African National NGO Coalition (SANGOCO). The flagship of this campaign was the 'Speak Out on Poverty Hearings' held across the country. These hearings managed to galvanise thousands of organisations and ordinary citizens to express their views on the persistence of poverty and government's efforts to alleviate it.[93] The hearings were backed up by in-depth research on various topics, which in turn were animated by the 'real life' experiences of the people who 'testified' at the hearings.[94] This strategy was highly effective in raising the public profile of structural poverty and shifting discursive boundaries on how poverty could best be addressed. Moreover, it managed to establish a broad coalition that included the Department of Welfare, the South African Human Rights Commission and the Commission for Gender Equality.[95] However, the campaign fizzled out after the hearings because there was no sustained and systematic follow-up. More specifically, there was no clear strategy to translate awareness into concrete programmes to launch effective service delivery models. This was compounded by rapid leadership changes in SANGOCO. In our view, this campaign serves as an example of very effective political mobilisation around an advocacy agenda, but with little thought about how to follow it through with more practical service delivery initiatives to make a material difference.

An opposite example, to a certain extent, concerns the crucial issue of the basic income grant (BIG). In this instance, a coalition of large CSOs has been established between COSATU, SANGOCO, the South African Council of Churches (SACC) and the Black Sash, among others.[96] Drawing on international support and robust technical data, the coalition has been able to amass an impressive body of research and argumentation in support of a BIG in relation to a larger, comprehensive social security system.[97] The work has been done in relation to the Job Summit in 1998 and the appointment of a Committee of Enquiry into a Comprehensive Social Security System by the Minister of Social Development.[98] Even

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93 Cawthra 1999.

94 See Liebenberg & Pillay 1999 for a summary of the hearings in conjunction with findings of the commissioned research.

95 The South African Human Rights Commission attached the report of the Poverty Hearings to its parliamentary submission, which is in fulfilment of its mandate to monitor socio-economic rights in terms of s 184(3) of the Constitution.

96 Black Sash 2001.

97 For a discussion of the basic income grant as one means of realising the right to social assistance, see Liebenberg 2001b.

98 COSATU 2000.

though such a grant could potentially alter the everyday conditions of millions of destitute South Africans, the coalition has been slow in mobilising public opinion and political pressure behind their demands. Significantly, this appears to be shifting, as evidenced by the march to Parliament to coincide with the 2002 Budget Speech. The challenge facing the coalition is to grow and sustain popular mobilisation on the basis of the compelling research done.

The last eight years have seen many other (potential) campaigns. All of these can be analysed in terms of the framework we presented earlier, which stresses the importance of fostering a reinforcing circle between purpose driven advocacy and effective social service delivery models. Examples of other (potential) campaigns include mobilisation around the arms deal, land rights, housing rights, food security and so forth. Unfortunately, due to various factors such as organisational weaknesses, malfunctioning networks, poor political analysis, disconnection with poor communities and insufficient debate, the leading CSOs in the development sector are not as effective as history may demand of them in keeping a check on government and in working with poor and vulnerable citizens to advance their socio-economic rights.[99] However, the current struggle of the TAC in opposition to the government's short-sighted position on the provision of anti-retroviral drugs for pregnant women and rape survivors may hold valuable lessons for improving the effectiveness of CSOs.

5.2 Towards a new mode of social mobilisation? The Treatment Action Campaign[100]

In its relatively short existence, the TAC boasts some significant victories and has gained national and international recognition as a campaigning and advocacy organisation on HIV/AIDS. It is too soon in the organisation's history to fully appreciate its achievements and the limitations of the organisation and its campaigns. Noted here are some preliminary observations based on the evidence so far. They are restricted to the strategies adopted by the TAC to achieve its goal, rather than the substance of its arguments. Suffice to say that a key tenet of the TAC's campaigns is government responsibility to ensure the realisation of socio-economic rights, in particular the right to health care.

The TAC was established on Human Rights Day (10 December) in 1998. It is an independent, voluntary and non-profit association of organisations and individuals. Organisations affiliated to the TAC include trade unions (COSATU, NACTU, FEDUSA), the South African Communist Party (SACP), SANGOCO and various religious groups. As a voluntary organisation, the TAC relies on volunteers to implement its campaigns.

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99 Pieterse & Lipietz 2000.

100 The analysis of the TAC draws on information on the TAC's website (www.tac.org.za), its regular e-newsletters and a report documenting TAC activities until March 2001 (TAC 2001).

The TAC's initial appeal to the South African public was probably largely explained by the fact that it had a positive message in the face of the devastating HIV/AIDS epidemic, highlighting that HIV/AIDS is not necessarily a death sentence, but can be treated. Its (partial) focus on babies and rape survivors may also have increased its appeal. Furthermore, the TAC was set up at a time when other AIDS organisations were struggling with internal problems and a lack of funding, following the decision of the Department of Health to cut funding to AIDS NGOs.[101] According to Mazibuko Jara from the SACP, the TAC could galvanise support because it did not have the same history of conflict that characterised many AIDS organisations (and other NGOs) (TAC 2001).

5.2.1 *Campaigns and strategies*

Since its inception, the TAC has developed a number of distinct campaigns to achieve its overall goal of making treatment available to, and affordable for, people living with HIV/AIDS. These include the Mother-to-Child Transmission (MTCT) Campaign (since December 1998); Campaign Against the US Government[102] (July 1999); Campaign Against the Pharmaceutical Manufacturers Association[103] (PMA) (since September 1999); the Christopher Moraka Defiance Campaign Against Patent Abuse and Profiteering[104] (since August 2000, with some activities on patent abuse starting in March 2000); and the Treatment Literacy Campaign[105] (since August 2000).

The articulation of several campaigns has allowed activists to target particular organisations on specific issues. It has also allowed the organisation to develop a dynamic relationship with the government, opposing it on certain issues (e.g. the lack of a government MTCT prevention programme) and cooperating with it on others (e.g. the need to reduce the cost of patented drugs and the government's right to circumvent strict international patent laws).[106] As such, the TAC is effectively combining policy advocacy with engagement on critical issues related to service delivery mechanisms.

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101 Most funding for AIDS work was channelled through the Department of Health. Following criticism of the government's extravagant spending on Sarafina II, the Department of Health cut funding to AIDS organisations from R19 million to R2 million in 1998 (see Marais 2000).

102 The key issue of contention was the placement of South Africa on a US trade blacklist, referred to as 'Special 301 Watch List', for supposedly contravening international patent laws. This penalty was imposed for 18 months before it was lifted. Bond 1999.

103 This campaign was a response to the court case initiated by pharmaceutical companies against the South African government in February 1998 on the Medical Medicines and Related Substances Control Amendment Act 90 of 1997, which the TAC viewed as a critical tool for the government to make HIV/AIDS treatment affordable.

104 The campaign seeks to expose the pharmaceutical industry for pricing its patented drugs beyond the reach of the public health sector, and thus the majority of South Africans, and making exorbitant profits at the expense of poor people's access to health care.

105 This is essentially a public awareness campaign through a variety of tools and methods.

106 This was at the heart of the court case initiated by pharmaceutical companies against the South African government. With the government's acquiescence, the TAC was admitted to the Court as *amicus curiae* (friend of the court). On 19 April 2001, largely because of the international outcry against the pharmaceutical industry, the pharmaceutical companies withdrew their case unconditionally.

To achieve its objectives, the TAC has adopted a variety of advocacy and campaigning strategies, including submissions and meetings with the Minister of Health and other politicians, protest activities such as marches and demonstrations, acts of civil disobedience[107] and (the threat of) legal action. In doing this, it has managed to combine mass mobilisation with sound political and legal strategies. Even when using adversarial tactics, the organisation has sent out a consistent message that it is willing to work with the government in realising the goal of universal access to treatment for people with HIV/AIDS – and has proven this on occasion. Thus, it has developed quite a sophisticated understanding of the role of CSOs in the democratic political space. It has also demonstrated an understanding of the institutional complexities facing the conversion of policy intent into practice. Furthermore, the TAC has taken cognisance of the various fractions in government, rather than assuming that government is a monolithic entity, by establishing working relationships with health workers in public hospitals.

Information dissemination, public awareness raising and networking are central to the TAC's advocacy work. It effectively uses a variety of media (print media, radio, TV and electronic media) to gets its message across to the South African public and to policy-makers. Its electronic mailing list has 1 280 e-mail addresses.[108] Significantly, it has also been strategic in building alliances with key interest groups in society, such as trade unions, religious organisations, health workers and international development organisations and advocacy groups.

5.2.2 *Achievements*

Each of its campaigns has resulted in significant achievements. In fact, a significant strength of the TAC's campaigning work has been to lay claim to victories – sometimes rightly so, although at other times the extent to which these victories can be attributed to the TAC's activities is less obvious. Yet the ability to claim a stake in these achievements is important in sustaining the motivation of the hundreds of volunteers and harnessing further support.

The TAC argues that its Treatment Literacy Campaign has resulted in greater public awareness, not only of the threat of HIV/AIDS, but in particular of the global inequalities in access to treatment and the government's inability to implement a comprehensive HIV/AIDS programme. It should be noted that the political controversies stemming from President Mbeki's statements on HIV/AIDS – subsequently echoed by members of his Cabinet – helped to create an environment in which the media became particularly susceptible to critical perspectives on the issue.

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107 As part of its Defiance Campaign, TAC members have brought generic drugs from Thailand and Brazil into South Africa. Whether this is a legal or illegal tactic is debatable. The organisation believes it is legal and thinks that it could only be taken to court on civil grounds, rather than criminal grounds. (Correspondence with Nathan Geffen, 31 January 2002.)

108 *Ibid.*

Arguably, one of the TAC's most significant victories to date is the Constitutional Court's ruling on the government's policy on MTCT prevention. On 5 July 2002, the Constitutional Court ruled in favour of the TAC that the government's position was discriminatory in effectively excluding a large proportion of pregnant women and their newborn children from the right to have access to health services to combat MTCT (namely, those who could not access the research and training sites where the drug Nevirapine was available). The Court required the government to devise and implement a comprehensive and coordinated programme, within available resources, to progressively realise their rights to MTCT prevention. The Court was, in fact, quite specific in ordering the government to take certain measures, which would comprise elements of a comprehensive MTCT prevention programme.[109]

A bold strategy in the TAC's Defiance Campaign has been to import a generic version of a patented AIDS drug from Thailand and to highlight the profits made by its manufacturer, Pfizer. A few months later, in March 2001, Pfizer made its product available free of charge to state clinics. It is worth noting that this was around the same time of the PMA court case against the South African government, which resulted in an international outcry and turned into a public relations disaster for the pharmaceutical industry. Subsequently, various pharmaceutical companies significantly reduced the prices of patented drugs. Another victory in the PMA Campaign was the fact that the PMA withdrew the court case unconditionally. Although this success cannot be attributed to the TAC alone, its ability to mobilise international support (especially in countries where the pharmaceutical companies are based, such as the United States and the United Kingdom), was clearly instrumental in the public humiliation of the pharmaceutical industry. Similarly, activism in the US during the year of presidential elections has arguably played a more decisive role in the removal of South Africa from the US trade blacklist than the TAC's demonstrations outside US embassies. Extensive diplomacy between South Africa and the US on the issue should also not be underestimated.

5.2.3 *Strengths*

In summary, whereas the TAC clearly had various contextual factors in its favour, the following strengths can be identified in its ability to advocate for realising the right of poor people to access to health:

1   Its overall campaign message is framed in a positive way by telling people that something can be done – and they can get personally involved.

2   It has articulated distinct, yet interconnected campaigns with specific objectives and target groups. This points to policy coherence. Importantly, it has allowed for a dialectical relationship with the state, which has been informed by a sophisticated understanding of the politics of institutionalisation and implementation.

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109 The *TAC* case, *supra* note 33. For more detailed discussions of the Constitutional Court ruling on MTCT prevention, see Liebenberg and de Vos in this volume.

3   It has developed extensive and strategic networks with local and international stakeholders. Furthermore, it has successfully combined mass mobilisation strategies with sophisticated political and legal strategies. In particular, the strategic use of law and legal strategies for the realisation of socio-economic rights has been unprecedented. Other organisations have already expressed interest in learning from the TAC's experiences and following its example.[110]

4   It has claimed its victories, even when the connection between the TAC's activities and the 'victory' is not self-evident. Significantly, it has been able to do this without alienating its partners.

5   Crucially, it has been able to achieve this while maintaining its integrity (correspondence with Nathan Geffen, 31 January 2002).

5.2.4 *Challenges*

One of the core challenges for the TAC comes from its achievements to date: to maintain focus in the midst of (rather than wanting to satisfy) all the expectations and demands facing the organisation, locally and internationally. If not handled well, this could ultimately undermine its credibility.

The organisation has grown exponentially since its inception: from employing one or two staff members and with a budget of R200 000 in 2000, whilst by 2002, it employed about 20 people and managed a budget of almost R10 million.[111] This clearly raises significant management challenges. Other volunteer-based organisations have not always been successful in making the transition to being a part-professional organisation.[112]

Another challenge facing the TAC is to establish itself in all provinces and in rural areas. At the time of writing the organisation had offices in Gauteng, KwaZulu-Natal and the Western Cape and was in the process of establishing an office in the Eastern Cape. Its presence is largely urban. Furthermore, the success of the TAC is partly indicative of its charismatic leadership. One of the key challenges facing the TAC is to broaden its leadership, thereby ensuring the organisation's sustainability. Finally, as the TAC itself emphasises, the biggest test lies in whether it will succeed in achieving the objective it has set out for itself, namely to convince the government to implement a comprehensive treatment programme for people with HIV/AIDS.

6   FUTURE PROSPECTS TOWARDS THE REALISATION OF SOCIO-ECONOMIC RIGHTS

The general shift in government towards a more integrated approach to governance and service delivery bodes well for the improved realisation of socio-economic rights. However, many dangers threaten to undermine

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110 In December 2001, the National Land Committee announced that it was seeking the TAC's advice on effective campaigning.

111 Correspondence with Nathan Geffen, 31 January 2002.

112 In South Africa, Amnesty International struggled to maintain the interest and motivation of volunteer groups when it opened a national office and started to employ staff members in 1997.

this approach, not least among them an inconsistent conceptual and policy agenda that adequately links social, environmental, economic and cultural dimensions of national and local development processes. More importantly, such conceptual frameworks are poorly translated into effective programmes. The more serious challenge is the medium-term prospect of continued economic crises, which are disproportionately borne by the poor and vulnerable. This leads us to conclude that in the short- to medium-term, the South African political landscape will be marked by increasing conflict over how best to allocate resources and deliver services to achieve social development.

The most compelling feature of the current moment in history is the government's imperviousness towards widespread civil society mobilisation on the linked questions of HIV/AIDS treatment and expenditure on the infamous arms deal. The political management of these crucial political episodes points to the erosion of participatory democratic traditions within the ruling party and its alliance, which in turn bodes ill for the larger democratic governance terrain. These worrying trends emerge at a time when social dialogue and contestation will become even more important as growing unemployment and income inequality sharpen the many social cleavages that mark South Africa. In other words, worsening economic conditions will further erode the moral and social bases of poor communities that need to be transformed through effective social investment and political empowerment. This means that even as the government increases infrastructure expenditure and improves its ability to target such areas (through the Integrated Sustainable Rural Development Strategy, ISRDS, and the Urban Renewal Programme, URP), the prevailing social-cultural context will undermine and erode the investment of scarce resources. If we relate this to the larger shadow over South Africa cast by the impact of the HIV/AIDS epidemic, it is clear that we can expect to see socio-economic conditions worsen even further despite substantial budgetary allocations.

Given these likely trends, we envisage that the TAC mobilisation will become something of a template for future civil society advocacy campaigns. However, due to the pervasive structural weaknesses in the sector (as briefly outlined above) and the specificity of the TAC focus, it will be difficult to sustain this approach across a variety of fronts. This suggests to us the imperative of foregrounding the importance of improving social service delivery to poor communities in the framework of area-based integrated development models.[113] As argued before, we understand service delivery in a dialectical relation to advocacy and social mobilisation within a participatory democratic system. Invariably, such a move must mean embracing the need to build principled, workable and effective service delivery partnerships within civil society and, more importantly, with the government, without relinquishing the imperative of social mobilisation around human rights issues. Of course, this begs the question how this can be achieved in a context marked by increased political antagonisms.

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113 See Pieterse 2001.

The analysis in the paper also raises other fundamental questions. Given our own continued search for provisional answers, we merely posit these for further debate. Firstly, if one takes a 10–20 year view, what is the right balance between sectoral delivery versus integrated delivery of essential goods and services to fulfil socio-economic rights? How does such a balance shift over time and what does that mean for building service delivery partnerships? Secondly, how does one foster a more conducive political climate to ensure a more redistributive thrust (which is essential to shift resource allocation priorities and the functioning of the government)?[114] Thirdly, what do these considerations mean for defining the content and priorities of a coherent civil society agenda to advance the sustained realisation of socio-economic rights? We hope that the conceptual framework and agenda posited in the paper provide a solid foundation for tackling these challenging questions with democratic determination.

7 CONCLUSION

From the perspective of social development, South Africa boasts an internationally acclaimed Constitution and state-of-the-art policy and legal frameworks. The central question of this paper was to assess the capability of the state to ensure a decisive rupture with the past through the effective realisation of socio-economic rights. We have demonstrated that the experiences to date are mixed at best: whereas in some respects significant strides have been made in a relatively short period of time, especially considering the complex nature of the transformation process, there are also – and increasingly – indications of a worsening quality of life of the poor. One of the central reasons for this is the inherent tension between social development and the economic growth model pursued by the government. This dialectic has proven to pose particular difficulties in the articulation of a coherent policy agenda of integrated development. Moreover, we have identified serious limitations in state capability to translate this into institutional mechanisms and a practical agenda of implementation.

However, state capability cannot be delinked from civil society's ability to use, define and expand the political space for the promotion of socio-economic rights. A key challenge facing CSOs is to combine effective social mobilisation with the identification and promotion of location-specific programmes of delivery. This requires, among others, coalition-building and networking to bring together the core strengths and capacities of different CSOs. Furthermore, it suggests the importance of social development partnerships between state and civil society, while deepening the democratic elements of the new dispensation. How these are best conceptualised and maintained can only be determined through ongoing processes of engagement, experimentation and contestation.

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114 We note with optimism that the door was recently opened by the ANC to their tri-party alliance partners to debate the most appropriate macroeconomic policies to ensure robust economic growth and poverty reduction. *Mail & Guardian* 2002.

Annexure A: The realisation of socio economic rights: progress and challenges

Socio-economic right	Article	Associated policy/legislation	Relevant programme/project	Achievements	Weaknesses/challenges
Education, including basic education (+ adult basic education) and further education	29	National Education Policy Act, No 27 of 1996 South African Schools Act, No 84 of 1996 Higher Education Act, No 101 of 1997 Further Education and Training Act, No 98 of 1998 Adult Basic Education and Training Act, No 52 of 2000	Early Childhood Development National Literacy Agency + National Literacy Initiative	22% of total government budget is spent on education Literacy rate among 15–24 year olds has improved from 94.9% in 1996 to 95.8% in 1999	29% of adult population is functionally illiterate 4 407 schools are in poor or very poor condition 49% of schools have a shortage of classrooms Significant variations in teacher:pupil ratio Only 80% of population of school-going age is in school Only 40% of education budget went to poorest half of the population Failure to spend R110 million for materials and schools
Healthy environment	24	White Paper on Environmental Management Policy, 1998 National Environmental Management Act, No 107 of 1998	National Waste Management Strategy National Environmental Health Implementation Strategy (DoH) Rural Sanitation Investment Programme (DWAF)	Implementation of policies on environmental management, sustainable coastal development, integrated pollution and waste management	

Socio-economic right	Article	Associated policy/legislation	Relevant programme/project	Achievements	Weaknesses/challenges
Food, including basic nutrition*	27	White Paper on Agriculture, 1995 White Paper on the Transformation of the Health System in South Africa, 1997 White Paper on Social Welfare, 1997 Green Paper on Disaster Management, 1998 Green Paper on Food Security, 1999 Food Policy, 1998	Integrated Nutrition Programme (DoH), i.e. Primary School Feeding Scheme (with DoA); Infant and Young Child Feeding Scheme; Community Based Nutrition Programme National Steering Committee on Food Security (DoA) Broadening Access to Agriculture Trust (DoA)	5.2 million children in 14 000 schools receive food	Insufficient coverage of school feeding projects Failure to spend R240 million of primary school nutrition scheme at provincial level from1997–1999 14 million people have no food security 2.5 million people are malnourished Only Gauteng and Northern Cape had food security projects
Health care (including reproductive health)*	27	White Paper on the Transformation of the Health System in South Africa, 1997 Choice on Termination of Pregnancy Act, No 92 of 1996 Medicines and Related Substances Control Amendment Act, No 90 of 1997	National Health Information System Operational Plan for HIV/AIDS and Sexually Transmitted Diseases Patients' Rights Charter	Between September 1995 to December 1998, 500 clinics were built and 215 mobile clinics purchased Free health care for pregnant women and children under 6 years old	Estimated shortfall of almost 800 clinics Gross disparities between provinces and between private and public sector facilities Only 24% of community service doctors are placed in rural facilities Health clinics, especially in rural areas, are understaffed and lack basic medicines

Socio-economic right	Article	Associated policy/legislation	Relevant programme/project	Achievements	Weaknesses/challenges
		Draft National Health Bill, 1998 Medical Schemes Act, No 131 of 1998			In 2000, DoH failed to spend 40% of its HIV/AIDS budget and cut 43% of its funding for AIDS service organisations
Housing,* including protection against eviction and demolition	26	White Paper on a New Housing Policy and Strategy for South Africa, 1995 Extension of Security of Tenure Act, No 62 of 1997 Housing Act, No 107 of 1997 Prevention of Illegal Eviction from and the Unlawful Occupation of Land Act, No 19 of 1998 Rental Housing Act, No 50 of 1999	Housing Subsidy Scheme, 1995 National Housing Finance Corporation National Urban Reconstruction and Housing Agency Servcon Housing Solutions Mortgage Indemnity Fund	By April 1999, 745 717 low-cost houses had been built From 1994-2000, 1.1 million housing subsidies had been allocated Almost 40% of housing subsidies were registered to women	Housing backlog in 2000 estimated at three to four million units From 1995–1999, there has been an absolute increase of 653 000 informal dwellings, of which 97% are in urban areas Significant decrease in budget allocation: 1.83% of total government budget in 1998/9 50% of government housing subsidies went to non-physical inputs and consultancy fees 70% of houses built from 1994–1999 are considered substandard, i.e. too small or poorly constructed

Socio-economic right	Article	Associated policy/legislation	Relevant programme/project	Achievements	Weaknesses/challenges
Land, including access to land and secure land tenure	25	White Paper on South African Land Policy, 1997 Restitution of Land Rights Act, No 22 of 1994 Land Reform (Labour Tenants) Act, No 3 of 1996 Extension of Security of Tenure Act, No 62 of 1997 Draft Land Rights Bill, 1998	Settlement/Land Acquisition Grant	From 1994–2000, 68 000 families were settled on farming land Unfair or unlawful evictions of farm workers and their families have virtually been halted	Slow delivery of land restitution: by June 1999, less than 1 % (41) of 63 455 land restitution claims had been resolved (by June 2000, 6 200 claims had been settled) – the initial target was 30 % By April 1999, 60 claims were settled by the Land Claims Court Restitution Commission needed R533 million in 2000/01 to settle all claims, but only received R149.5 million
Social security, including social assistance*	27	White Paper on Social Welfare, 1997 Social Assistance Act, No 59 of 1992 Special Pensions Act, No 69 of 1996 Unemployment Insurance Act, No 30 of 1966	National Programme of Action for Children (NPA) Poverty Relief Programme	Over 3 million beneficiaries of social grants Since 2001, social security grants are linked to inflation rate	Administrative difficulties with grant system Large gap in social security coverage: excludes children over seven years old and adults up to pensionable age living in poverty

Socio-economic right	Article	Associated policy/legislation	Relevant programme/project	Achievements	Weaknesses/challenges
					Larger number of beneficiaries than planned for (e.g. SMG)
					If current system were implemented effectively, 30–40 % of poor households would not get social assistance
					In 1998/9, social assistance (poverty alleviation programmes) amounted to only 4 % of DoW budget
					Lack of financial planning and expenditure: only 0.7 % of anti-poverty budget of R204 million was used in 1998/9 – has led to a decrease of 75 % in budget allocation to poverty alleviation

Socio-economic right	Article	Associated policy/legislation	Relevant programme/project	Achievements	Weaknesses/challenges
Water*	27	White Paper on Water Supply and Sanitation, 1994 White Paper on National Water Policy for South Africa, 1997 Water Services Act, No 108 of 1997 National Water Act, No 36 of 1998	Community Water Supply and Sanitation Programme Water Services Capital Programme	Between 1994-2000, 4 million people previously deprived gained access to clean running water In 1999, 56% of African households had access to water in dwelling or on site, compared to 48% in 1996, with significant strides in rural areas	Over 80% of rural households do not have access to piped water Inability to pay for water charges limits access – for example, from 1995–1999, 72 000 households in rural areas lost access to flush toilets or chemical toilets

*   The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights.

Sources: Adams 2001, Cawthra *et al* 2001, Department of Social Development 2000, Marais 2001, SAIRR 2001a and 2001b, SAHRC 2000, UNDP 2000.

Sources

Adams J *A review of provincial social development budgets 2001* Cape Town: Idasa 2001

Ahluwalia P *Politics and post-colonial theory: African reflections* London: Routledge 2001

Ashcroft B *Post-colonial transformations* London: Routledge 2001

Barbarin OA & Richter LM *Mandela's children: Growing up in post-apartheid South Africa* London: Routledge 2001

Bhorat H Leibrandt M Maziyan M Van Den Berg S & Woolard I *Fighting poverty: Labour markets and inequality in South Africa* Cape Town: UCT Press 2001

Black Sash 2001 "South Africans for basic income grant" < www.blacksash.org > Accessed 29 January 2002

Blumenfeld J "From icon to scapegoat: The experience of South Africa's Reconstruction and Development Programme" in 15 *Development Policy Review* 1 65–91 1997

Bond P "Globalization, pharmaceutical pricing and South African health policy: Managing confrontation with US firms and politicians" in 29 *International Journal of Health Services* 4 765–792 1999

Brett T "Understanding organization and institutions" in Robinson D Hewitt T & Hariss J (eds) *Managing development: Understanding inter-organizational relationships* London: The Open University and Sage 2000

Bruff GE & Wood AP "Making sense of sustainable development: Politicians, professionals, and policies in local planning" in 18 *Environment and Planning C: Government and Policy* 5 593–607 2000

Cawthra HC "Annual review: The voluntary sector and development 1997/1998" in 2 *Development Update* 3 1–173 1999

Cawthra HC Helman-Smith A & Moloi D "Annual review: The voluntary sector and development 1999/2000" in 3 *Development Update* 3 1–186 2001

Chataway J *et al* "Institutional development: Conflicts, values and meanings" in Chataway J et al (eds)*TU872 Institutional development: A postgraduate course* Milton Keynes: Open University 1999

Cheru F "Overcoming apartheid's legacy: The ascendancy of neoliberalism in South Africa's anti-poverty strategy" in 22 *Third World Quarterly* 4 505–527 2001

COSATU *Comprehensive social security* Cape Town: COSATU 2000

Department of Environment & Tourism (DEAT) *Sustaining development in South Africa: An analytical review of sustainable development in South Africa (Draft 2.2)* Pretoria: DEAT 2001

Department of Finance (DOF) *Growth, employment and redistribution: A macroeconomic strategy* Pretoria: Ministry of Finance 1996

DOF *A strategic framework for delivering public services through public-private partnerships* Pretoria: DOF 2001

Department of Social Development (DSD) *Population, poverty and vulnerability: The state of South Africa's population report 2000* Pretoria: National Population Unit DSD 2000

Everatt D & Zulu S "Analysing rural development programmes in South Africa 1994–2000" in 3 *Development Update* 4 1–38 2001

Flood RL *Rethinking the fifth discipline: Learning within the unknowable* London and New York: Routledge 1999

Fowler A *Striking a balance: A guide to enhancing the effectiveness of non-governmental organisations in international development* London: Earthscan 1997

Fraser-Moleketi G "Effective and integrated government at work" Media briefing 12 February 2001

Friedmann J *Empowerment: The politics of alternative development* Cambridge & Oxford: Blackwell 1992

Fung A & Wright E O "Deepening democracy: Innovations in empowered participatory governance" in 29 *Politics & Society* 1 5–41 2001

Gore C "The rise and fall of the Washington Consensus as a paradigm for developing dountries" in 28 *World Development* 5 789–804 2000

Habib A & Padayachee V "Economic policy and power relations in South Africa's transition to democracy" in 28 *World Development* 2 245–263 2000

Held D *Democracy and the global order: From modern state to cosmopolitan government* Stanford: Stanford University Press 1995

Heller P "Moving the state: The politics of democratic decentralization in Kerala, South Africa, and Porto Alegre" in 29 *Politics & Society* 1 131–163 2001

Heywood A *Key concepts in politics* London: Macmillan 2000

Howarth D & Stavrakakis Y "Introducing discourse theory and political analysis" in Howarth D Norval A & Stavrakakis Y (eds) *Discourse theory and political analysis: Identities, hegemonies and social change* Manchester and New York: Manchester University Press 2000

Ife J 1995 *Community development: Creating community alternatives – Vision, analysis and practice* French Forest NSW: Longman 1995

Isin E F (ed) *Democracy, citizenship and the global city* London and New York: Routledge 2000

Leftwich A "Forms of the democratic developmental state: Democratic practices and development capacity" in Robinson M & White G (eds) *The democratic development state: Politics and institutional* Oxford: Oxford University Press 1998

Leftwich A *States of development: On the primacy of politics in development* Cambridge: Polity 2000

Lester A Nel E & Binns T "South Africa's current transition in temporal and spatial context" in 32(2) *Antipode* 2 135–151 2000a

Lester A Nel E & Binns T *South Africa, past, present and future: Gold at the end of the rainbow?* London: Longman 2000b

Liebenberg S & Pillay K *Poverty and human rights: Report of the national 'Speak out on poverty' hearing* Johannesburg: SANGOCO 1999

Liebenberg S & Pillay K *Socio-economic rights in South Africa: A resource book* Cape Town: Community Law Centre University of the Western Cape 2000

Long N *Development sociology: Actor perspectives* London: Routledge 2001

Macintosh M "Creating a developmental state: Reflections on policy as process" in Albo G Langille D & Panitch L (eds) *A different kind of state? Popular power and democratic administration* Toronto: Oxford University Press 2003

Mail & Guardian 25–31 January 2002

Marais H *To the edge: An examination of South Africa's national AIDS response 1994–1999* Pretoria: Centre for the Study of AIDS 2000

Marais H *South Africa: Limits to change. The political economy of transition* Second edition London and Cape Town: Zed and UCT Press 2001

May J (ed) *Poverty and inequality in South Africa: Meeting the challenge* Cape Town and London: David Philip and Zed Books 2000

Mbeki T *Africa: The time has come* Cape Town: Tafelberg 1998

Mbeki T Address at the opening of Parliament, Cape Town 1999

Moser C "Confronting crisis: A summary of household responses to poverty and vulnerability in four poor urban communities" *Environmentally Sustainable Development Studies and Monographs Series* 7 Washington: World Bank 1996

Natrass N & Seekings J "'Two nations'? Race and economic inequality in South Africa today" in 130 *Daedalus* 1 45–70 2001

Nederveen Pieterse J *Development theory: Deconstructions/reconstructions* London: Sage 2001

Palmer Development Group *Masakhane case studies* Johannesburg: GTZ Urban Upgrading and Development Programme 1997

Pieterse E "In praise of transgression: Notes on institutional synergy and poverty reduction" in 3 *Development Update* 4 39–69 2001

Pieterse E & Lipietz B *Field guide 7: Government policy and future issues confronting the NPO sector* Cape Town: Isandla Institute 2000

Pillay P "South Africa's key socio-economic challenges" in 2 *New Agenda* 5–27 2001

Robinson M White G (eds) *The democratic development state: Politics and institutional design* Oxford: Oxford University Press 1998

Roche C "Organizational assessment and institutional footprints" in Robinson D Hewitt T & Hariss J (eds) *Managing development: Understanding inter-organizational relationships* London: The Open University and Sage 2000

Rose N "Governing cities, governing citizens" in Isin E F (ed) *Democracy, citizenship and the global city* London and New York: Routledge 2000

Roseland M "Sustainable community development: Integrating environmental, economic, and social objectives" in 54 *Progress in Planning* 73–132 2000

South African Institute of Race Relations (SAIRR) *South Africa survey 2000/01* Johannesburg: South African Institute of Race Relations 2001a

SAIRR 2001b "Informal dwellings skyrocket" < www.sairr.org.za > (Accessed 31 January 2002

Sandbrook R *Closing the circle: Democratization and development in Africa* Toronto and London: Between The Lines and Zed 2000

Sim S "Introduction: Spectres and nostalgia: *Post*-Marxism/post-*Marxism*" in Sim S (ed) *Post-Marxism: A reader* Edinburgh: Edinburgh University Press 1998

South African Human Rights Commission *Second economic & social rights report 1998–1999* Johannesburg: South African Human Rights Commission 2000

Swilling M & Russel B *The South African non-profit sector* Johannesburg: Graduate School of Public and Development Management Wits University 2001

Swilling M "City entrepreneurs" in *Ashoka Bulletin* forthcoming

Tendler J *Good government in the tropics* Baltimore and London: John Hopkins University Press 1997

Thomas A "Development as practice in a liberal capitalist world" in 12 *Journal of International Development* 6 773–787 2000

Treatment Action Campaign *An overview* Cape Town: Treatment Action Campaign 2001

United Nations Development Programme (UNDP) *Transformation for human development: South Africa 2000* Pretoria: UNDP 2000

Watkins K *The East-Asian miracle?* Oxford: Oxfam UK 1998

Werna E "Shelter, employment and the informal city in the context of the present economic scene: Implications for participatory governance" in 25 *Habitat International* 209–227 2001

Westendorff D "Guest editorial" in 11 *Development in Practice* 2 and 3 142–148 2001

White G "Constructing a democratic developmental state" in Robinson M & White G (eds) *The democratic development state: Politics and institutional design* Oxford: Oxford University Press 1998

White G & Robinson M "Towards synergy in social provision: Civic organizations and the state" in Minogue M Polidano C & Hulme D (eds) *Beyond the new public management: Changing ideas and practices in governance* Cheltenham and Northampton: Edward Elgar 1998