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**POLITICAL AND ECONOMIC HUMAN RIGHTS
IN POST-APARTHEID SOUTH AFRICA :
ISSUES AND CHALLENGES***

I. INTRODUCTION

Great changes are taking place in South Africa. The majority of the South Africans, long denied of their political and economic rights under apartheid are about to gain them. On April 27 this year the citizens of South Africa are going to exercise their democratic rights to elect a new government through universal adult franchise. This is a time to look back for a pointer to the future which is bright with promises but hazy with uncertainties. It is argued here that the basic and broad issue in South Africa today is to ensure long-denied human rights to its people. This paper focuses on how to ensure civil and political liberties and economic rights from a broad national perspective and the challenges the country faces in such an attempt. The nature and source of various constraints will be analyzed along with their possible resolution. The rest of this paper is divided into four sections. Section II outlines the conceptual framework within which the issues raised in this paper are analyzed and discussed. The following section analyses the issues and constraints in ensuring civil and political liberties while Section IV focuses on the economic rights. Concluding remarks and observations are offered in the final section.

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II. THE CONCEPTUAL FRAMEWORK

The conceptual framework combines two aspects, viz., the issue of human rights and the actors in ensuring/preserving human rights. First, the concepts of human rights.

2.1 Human Rights Concepts

Despite controversies over constituents and sources of 'human right' (Donnelly 1985; Davies 1988; and Hausermann 1988), one can perhaps discern three types of such rights (Sachs 1990). These are civil and political rights, economic, social and cultural rights and the rights to development, peace, social identity and a clean environment.¹ In traditional western political philosophy only the first type is emphasized. However, human rights are those rights essential not only for security of the individual but also for human survival and dignity. The rights to adequate food, shelter, other necessities of life as well as the rights to free participation in intellectual, cultural and spiritual activities, therefore, constitute fundamental human rights (Hausermann 1988). After all, if human beings cannot survive physically because of want of food or lack of adequate income to purchase food, it is utterly meaningless to preach about civil and political liberties. Particularly, if it so happens that in a country the denial of political rights to the majority by a minority holding political power, as has been the case in South Africa, has explicitly been designed to deny the majority their economic rights so that the economic resources of the country are owned and controlled by the same minority, then this is one clear case where assertion of political rights of the majority must be for asserting their economic rights at the same time.²

1. For an elaborate argument in favour of peace and environment for economic development see, WCED (1988), otherwise known as Brundt land Report.

2. The importance of assertion of economic rights has been forcefully put forward by Hausermann in the following language: 'Human rights have been claimed as brake on the abuse of power. But abuse of power is not limited to physical oppression. It is equally essential that economic or social power should not be abused so as to dispossess the less fortunate of the ability to feed and cloth themselves, and to seek education or employment' (Hausermann 1988, 134).

2.2 The Actors : State and Civil Society

The next important issue is how to provide for, gain and preserve these human rights. Who are or may be the principal actors? More particularly, what should be the respective roles of the state and the civil society? A good amount of controversy exists on these issues. Without elaboration, it can be said that both will have to be active in gaining, exercising and enforcing the rights.³

A 'right' is claimed or exercised against some authority (person, group, state). In case of civil and political rights, the state being the broadest political entity is in a situation to debar people from enjoying those rights and therefore, is the authority against which these rights are generally claimed. In general states the world over now acquiesce to this claim by the people. Quite often these rights are also codified as laws.⁴ No society, historically speaking, has been a passive receiver of these rights. Political histories of all countries have shown that these rights were hard earned. In the process the political institutions in all these countries changed towards more openness and democracy, although the pace of change varied between countries. The struggle has been by the civil society at large and specifically by its more organized components (like political parties, secret societies, trade unions, professional societies, civil liberty and legal aid groups etc.).⁵

Whether a state is capable or actually feels compelled to ensure human rights (of whatever nature) may be debated given the experiences of other African countries (Doornbos 1990: pp. 183-187). Controversies also abound

3. For a brief but illuminating account of the theory of the state and development of state and its characteristics see, Strath and Torstendahl (1992). For an account of the development of the civil society and the changes in its meaning see, Keane (1988). Also see, Bobbio (1988). For an elaboration of how or how far can societal outcomes be the result of interactions between the state and the civil society see, Hanneman and Hollingsworth (1992).

4. This raises an interesting issue regarding the prospects of social control. As the civil society struggles for and gains rights for the citizens of a country and these are formalised through state actions, the domain of state control may in fact be said to have been increased rather than reduced. In fact this also means that the formalisation and adherence to the human rights point to a compromise between the state and the civil society (Donnelly 1985). Boli (1987) using and testing an ingenious model reached similar conclusions.

5. For a historical case study on Britain and Germany on how the state and civil society interacted with each other see, Deken and Rueschemeyer (1992).

as to how a particular societal outcome is a result of the interaction between the state and the society or is independent of such interactions (Hannemann and Hollingsworth 1992). In any case the nature and structure of both the state and the civil society are important in determining the outcome.

A state is not a monolithic structure. It has many organs, political (e.g. parliament, cabinet), administrative (e.g. bureaucracy), judicial (the judiciary) and the security (e.g. police and defence) and it operates at various levels, national, regional or local. Their interests may not be identical and have no unity of purpose. In the civil society, recalcitrant political institutions may act against the interests of certain groups in society. Then again there may exist other powerful contenders for social control (tribes, economic interest groups like rich peasantry or landlords, regional groups, trade unions, other social groupings like professional societies etc.). In Africa, in general, the problem is quite acute.⁶ As analyzed later, this is likely to be a major danger in South Africa.

Having a right may not, therefore, mean that it can be enjoyed. To be enjoyed, it may have to be enforced (Donnelly 1985). A major issue thus relates to the strength or weaknesses of a state or its capability (Migdál 1988) to enforce human rights even when these are codified. A divided state and a fragmented civil society are possibly the worst combination in such a situation. If clashes of interest occur among powerful groups in society in this situation, it would be very difficult for the state to successfully arbitrate between them. Given the situation in South Africa, this is going to be particularly difficult.

The issue of states's role in case of economic rights is more problematic. While civil and political rights can be quickly formalized through laws and adherence to them can be monitored while remedial actions in case of violations can be sought through courts, this is not certainly possible in case of economic rights like, say, rights to employment. A major reason behind this difficulty is that while in case of civil and political

6. For a discussion on the problems and prospects of raising and establishing human rights issues in the African context see, Silk (1990).

rights, formalization, observance, monitoring and remedial measures involve mainly the state and more particularly certain of its organs. The realization of the economic rights depends on not only 'proper' policies but more importantly, the involvement of many economic agents, some time the whole nation. Successful economic management, therefore, is much harder than successful political management.

Secondly, many would argue against the state being involved in direct economic management in a major way on ideological grounds and would, therefore, prefer not to term economic rights as spheres of state activity. Without getting into any debate on this issue, it may be pointed out that the state does have tremendous power to influence the direction of the economy and its working through various policies and instruments even without being directly in control of particular economic activities. Hence although economic rights are also in a sense claimed against the state, the state may discharge its obligations through its efforts to steer the course of the economy in an indirect manner. Particularly, a state's facilitation role in economic management is recognized by every nation.

Against the above backdrop of the state's possible roles, those of the civil society are going to be crucial in gaining and preserving the human rights, particularly in South Africa. The present changes in that country owe much not only to the struggles of various political parties, the contributions of various other movements through trade unions, civil rights bodies and other social movements cannot be belittled. Similarly in future, they will have to constantly hammer for their rights. This will be crucial as the political compromises that are being made now, if allowed to go unchallenged, will keep apartheid firmly in control all but in name.

III. ISSUES AND CONSTRAINTS IN THE POLITICAL SPHERE

3.1 The Present Situation

Black and other non-white South Africans have always been fighting against racial discrimination and apartheid in every possible way including

armed struggle.⁷ The South African government had been able to contain these struggles only at a very high cost to the economy and white society and polity.⁸ As a result the realization has come to the ruling party and many of the whites that the situation must change. Since 1990, therefore, the government has initiated political changes in the country which culminated in a multi-party conference for negotiations for a political change. Very recently these negotiations have produced the outlines of an interim constitution for political change in South Africa.

There have been wide-ranging agreements on many issues related to civil and political rights and their exercise on the basis of universal adult franchise.⁹ Four of the most important provisions relate to the bill of rights, the formation of a constitutional court, restitution of land and a measure of constitutional autonomy for the nine provinces.

3.2 Agenda for the Future : A Bill of Human Rights

Apparently things are on course. The civil and political rights including the right to a clean environment have been more or less codified in the interim constitution.¹⁰ The issue of economic and social rights, however, at least as reported, do not yet feature prominently. If economic and social

7. There are many books and discourses on this struggle. For a brief introduction to this struggle and also as a guide to various organizations involved see, Davies, o'Meara and Dlamini (1988).

8. For an analysis of the forces of change in South Africa see, Slabbert (1991) and Kane-Berman (1990). For an analysis of changing perceptions within the white polity see, Adam and Moodley (1986).

9. The most important provisions were universal adult franchise (with voting rights to all persons above age of 18), an indirectly elected president, provisions for executive vice presidents, power-sharing in the form of formation of a cabinet composed on a proportionate basis of elected members of parliament from parties with at least 20 members, a senate or a upper house with members drawn equally from nine provinces of the country, a constituent assembly made up of the national assembly and the senate for drawing up a final constitution, provisions for constitutions of the provinces of their own within the limits set by the national constitution, reservation of 30% of seats in municipal governments for whites (to assuage their fears of immediate domination by blacks), a bill of rights and provision for restitution of land.

10. The inclusion of environmental rights is not simply a feature to reflect present trends the world over. South Africa in many ways resembles an environmental waste land the burden of which falls disproportionately on the blacks. For a recent account of the environmental and its associated socio-economic problems see, Durning (1990).

rights and rights to peace and development are not ensured in the constitution in unambiguous terms then little will change for the man on the street. Democracy will be meaningless, as argued in the preceding section, if it does not guarantee the basic needs of food, shelter, clothing, education and a decent life (including a clean environment). As the current and near future political changes will raise very high hopes, the government must find a way to ensure these rights of the people. The interim and the final constitutions, therefore, must be very clear on these issues. Laws will have to be enacted to put these principles into practice. Particularly, the constitution may have to be clear about the land redistribution issue (see next section).

Then again for a real democratic process the vast majority of blacks need to be put as fast as possible on an equal footing with others. For this to happen, for several years at least, a practice of 'positive discrimination' meaning comparatively more facilities to the blacks and non-whites may have to be provided (see next section).

3.3 Reality vs The Ideal

Despite the high expectations the reality and the possible dangers (O'Flaherty 1993 : pp.126-133) ahead may constrain the national government in taking necessary measures. Too many contending forces are vying for protecting their own rights and extending control over others or think that others are trying to do so over them. The South African civil society is thus extremely fragmented to mount any concerted effort for gaining their human rights in the form they would like most, let alone preserve it.

The blacks are divided (Adam and Moodley 1986 : pp. 77-128). The rivalries among the Xhosa, the Zulu and other nationalities have already created a serious problem of violence and lack of peace.¹¹ Secondly, the

11. The people of South Africa are divided into five major ethnic groups. Africans who constituted 70.2% of the total population in 1990 (excluding the so called homelands) are divided into many nationalities, the Bushmen, Hottentots and Bergdamara who constitute survivors of early inhabitants and others which include Zulu, Xhosa, Swazi, Ndebele, Pondo, Tembu, Sotho and Tswana. Whites which include the descendants of Dutch, French, British and German settlers and more recent immigrants from Europe and other ex-colonial African countries constituted 16.3% of population while Asians (mostly Indians) accounted for 3.1%. Coloureds which include people of all mixed races constitute 10.4%

issue of provincial autonomy will have to be handled more carefully in the future. The 'independence' of the four homelands of Bophuthatswana, Transkei, Ciskei and Venda¹² may have been a sham but within those and other homelands there were already in place vested black interests with armed and some measure of economic power (Graaff 1990 : pp. 61-62). Brushing them aside will be closing one's eyes to this reality and more importantly, to the issue that there are indeed people of various nationalities among the blacks themselves. A federal form of government, probably would have diffused some of the present tensions any future government can do without.

Thirdly, the de-stabilization process has already been underway by the vested interests among the security apparatus and disgruntled Chiefs (like Buthelezi) who are known to operate armed training camps and may try even secession. All these give the disgruntled whites enough of pretext to make fresh demands like that for an Afrikaner homeland (volkstaat) or whites only election. There are several successful historical precedents for both. If things hot up too much the national government may be forced to declare a state of emergency and suspend the hard earned civil and political rights, even if only temporarily.¹³

It is true that both the National Party and the ANC are under compulsions for a negotiated settlement for various reasons and the majority of whites may not be against such settlement. What they fear, however, are the uncertainties about their own future in which the quality of life they were accustomed to may no longer be sustained. It has been found from polls , for example, that 93% of whites deem protection of property rights

12. Territorially South Africa is divided into several provinces and so called homelands which are in effect territories earmarked for only the blacks. There are ten such homelands. These are Transkei, Bophuthatswana, Venda and Ciskei which are 'independent' and six others (Gazankulu, KaNgwane, KwaNdebele, KwaZulu, Lebowa and Qwaqwa) which are not. Among these KwaZulu is at present politically in the limelight due to the intransigence of its Prime Minister, Chief Buthelezi and his political party, Inkatha Freedom Party regarding participation in the coming national election.

13. There had been meetings between the ANC and the Inkatha Freedom Party to resolve some of these problems. The most publicized meeting of course had been that between Nelson Mandela and Buthelezi which apparently had a measure of success and one may now expect that the Inkatha will take part in the election. The general problem, however, still remains.

as one of the most inviolable rights (Schlemmer, Stack and Berkow 1991 : p. 165). It will of course be a wise move on behalf of the ANC to quell such fears. At the same time, however, it cannot renege on its promises to the blacks on matters like land redistribution. What would be necessary, therefore, is to forge political alliances to gain political support in some areas while compromising on other less pressing issues for the moment (see next section). The support from some church groups like the Dutch Reformed Church which has of late renounced its support for apartheid may be sought in this regard.

The role of civil society in such a situation becomes extremely crucial. It must understand that victory against apartheid has not been won yet. Hence, blacks must particularly resist propaganda which drives a wedge among themselves and between them and other oppressed ethnic groups including whites who are against apartheid. The tragedy would be if white supremacy is sought to be replaced with equally racist black supremacy.

The unity of the blacks and other oppressed people needs to be against any attempt at de-stabilization. White racists may try to incite riots and violence and operate killing squads. These can be resisted only through unity. Political parties, trade unions, youth groups all will have to be involved through propaganda, press campaigns, neighborhood meetings, legal aid groups and similar other activities.

The new found legal freedom should be used to the fullest extent. Every instance of racial discrimination, be it in the work place, in the neighborhood, in schools, or in housing, should be fought against and if necessary, with legal means. Legal aid groups should be formed in every township and locality. To effectively help the illiterate and poor. Such groups rather than the people coming to them should seek them out.

IV. ISSUES AND CONSTRAINTS IN THE ECONOMIC SPHERE

To understand better the issues and challenges for putting things right in the economic sphere, some background to the South African economy is necessary. A brief description is provided in the next sub-section.¹⁴

14. For a more elaborate discussion, particularly for understanding the political economy of South Africa see, Natrass and Arfdington (1990). Also see, Katzen (1992).

4.1 The State of the South African Economy

The South African economy and its political economy are dominated by three sectors, manufacturing, mining and agriculture. The relative contributions of the three sectors to the gross domestic product (GDP) are respectively 26%, 11% and 5% while their relative shares in formal sector employment are respectively 18%, 10% and 15%. A major but less emphasized characteristic of the economy is the contribution of the informal sector in terms of shares in GDP (7%) and total employment (15-25%).

The economy has been rather sluggish during the eighties up to the present. Over 1980-87, per capita real GDP rose at only 1.1% (McGrath 1990: p. 92). In 1990, the per capita GDP fell at an estimated rate of 3.3%. A major reason behind such performance has been the poor growth in manufacturing output, investment and a secular fall in its profitability (Nattrass 1990: pp. 107-110).

The most important social and political aspect of the economic feature of South Africa is its dualistic nature and the consequences thereof in terms of widespread poverty and extremely inegalitarian distribution of income along racial lines (McGrath 1990: pp. 44-46). Income distribution in South Africa is the most inequitable in the world. In 1975 the only year for which a measure of income inequality is available, the Gini coefficient was estimated to be 0.68. The main reason for such gross inequality can be traced to very wide disparity between races in per capita income (Figure 1). In 1980, whites had a per capita income of Rand 8501 (at mid-1984 prices) which was just about 13 times the per capita income of blacks (Rand 657). The incomes of coloureds and Indians were much higher (Rand 1619 and Rand 2165) but no where near the income of the whites. The differentials, particularly between whites and blacks also have been more or less increasing over time. For others there had been some narrowing of the gaps.

Incomes of all blacks are not equally low. Per capita black income in 1975 (at 1984 constant prices) was Rand 1082 in the metropolitan areas followed by that in the Bantustans (Rand 496) and that in white controlled rural areas (Rand 295). There is evidence to suggest that these disparities have also increased over time.

The economy is further characterized by widespread poverty, not surprisingly mostly among blacks given their low level of income. One-half of the population is estimated to be poor while in the homelands it is much higher, 80% (all black).

The basic reason for the poverty and gross income inequality is the extreme inequity in the distribution of income-generating assets. Just 5% of the people (practically all white) own 80% of the country's wealth while 87% of land is owned by whites. The question of land ownership is particularly crucial not simply because of its extremely inegalitarian distribution but also because of the manner in which it has been brought about and sanctioned by the state over the colonial period and thereafter, particularly since the Land Act of 1913 which proclaimed 87% of the nation's land out of bounds for the non-whites. This law was later supplemented with other draconian laws and regulations the sole aim of which had been to dispossess the Africans and other non-whites of their property and assets.

While the Africans and other non-whites were dispossessed of their physical assets, they were constrained in accumulating human capital through education the access to which was highly inequitable. As a result of this in 1980 more than 48% of all blacks were illiterate while among the whites the proportion was only nearly 16%. On the other side of the scale, while nearly 13% of whites had some form of higher education (diploma, university degree), the proportion among the blacks was less than one-half of one percent (Adam and Moodley 1986: p. 235). There has been some improvements since 1970 in the average income of blacks, particularly in the metropolitan areas due to rising black wages. The above maldistribution of productive assets and opportunities, however, ensured that the vast multitudes of the blacks remain landless and dispossessed without much of a prospect of gainful employment either in agricultural or other sectors. The estimated number of unemployed was at least 6 million in 1991 and may rise by 1995 to 7.2-7.5 million. The latter would be close to one half of the people of employment age. Cautioned Mr. Barend du Plessis, Minister of Finance in 1991, "Unless we can get growth going now, by the mid-1990s

it will be virtually impossible for any government to govern" (Laurence 1992: p. 183).

4.2 An Economic Agenda for the Future

The situation as described above points to the basic economic agenda for the future. This is to eradicate poverty and inequality in income distribution. Indeed, this has been the first in the agenda under economic policies of the ANC (ANC 1992 : pp. 19-20). The other goals enunciated by the ANC includes *inter alia* democratizing the economy and empowering the historically oppressed; creating productive employment opportunities at a living wage for all South Africans and initiating growth and development to improve the quality of life for all South Africans, but especially the poor. The economic strategy to achieve these goals are redistribution programmes to meet the basic needs of the people and a restructuring of the economy.

On the face of it appears that the ANC strategy is along the right lines particularly as the social mode of operation has been expressed to be development in consultation with the organs of the civil society, specially at the local level. When these general statements are read with policies for specific sectors (like labour policy where public works programme has been highlighted for employment creation), one cannot but agree with them. But the challenges will be enormous and constraints too many. The following subsection takes up these issues, particularly in the context of the redistribution programme.¹⁵

4.3 Challenges and Constraints

The most important practical issue is creation of employment. How redistribution programme can help in the process has been neither hinted nor elaborated by ANC. Several types of redistribution programme can be thought of (Moll 1991a: pp. 1-24). These are redistribution of physical assets, modifying market relations and state revenue and spending. The first includes land reform and nationalization of big business and mines.

15. The economic challenge will be in many sectors. Space does not allow their analysis here. One particular aspect is macroeconomic management for an analysis of which and other related issues, see, Moll (1991b) and Moll, Natrass and Loots (1991).

Land Reform

Land reform is a politically contentious issue in South Africa both because of opposition by white farmers who will lose and its probable real content and method.¹⁶ On the other hand, the economic arguments for land reform are clear cut. At one stroke it can increase the access of poor farmers to land, increase their income, increase employment, halt rush to the towns and increases access to food by the rural people. What is more, an effective land reform can create a political base for the government in power if it is done not simply by fiat but through organizing the poor. The problem lies, however, with both conceptualization and implementation of land reform.

One must keep in mind while discussing the land question in South Africa that its basis is not simply the grossest inequity in access to land along racial lines, but rather the legally sanctioned way in which it has been effected particularly since 1913. Had whites simply bought the land at market prices from blacks, one could probably argue against any land redistribution. But the fact is that the blacks were evicted by brute force from their land. Hence the argument for land reform rests not simply on economic or political grounds but also on the need for a psychological healing process of the wounds among those who had been dispossessed. Unless this psychological ground is understood and acted upon, communities may forcibly express their rights by occupying land as has already happened in some cases (Cooper 1992: p. 28).

Of course, there had been many changes since 1913 and a simple appropriation of land may not be possible in every case. But the effort should be as far as possible towards that end keeping in view other constraints like problems of implementation, political resistance and greater social need (like conservation). The interim constitution has provisions for restitution of land. But reports indicate that the objective is not, at least not yet, to really take land away from the 60,000 white farmers or the wealthiest among them to distribute it to poor black farmers. Also the procedures appear to be cumbersome and very likely poor blacks will not be able to benefit from any such reform.

16. For a glimpse of the lively debate see, *Barometer*, Vol. 5, No. 1, February 1993.

The reason behind all these are not hard to find. While both the ANC and the National Party have to compromise, one for going to power, the other for holding on to power, the major constituency of the former is in the urban areas. Critics argue that its policies on land, including the demands of peasants and farmers, are not well formulated (Cooper 1992: p. 29). It is true that the opposition to land reform will be fierce among the white farmers and their backers (e.g., the National Party). But the fact remains that land distribution is an issue in political economy and must be resolved on a political basis.

It is by now more or less agreed by all that the economy must grow for all to benefit. And industry should lead the way as the engine of growth. A non-nationalization policy and a wages policy under which trade unions will be kept in check for a given period are likely to positively influence growth and induce the business class to politically support the future government. This will enable the government to politically isolate the wealthiest white farmers and break their strangle hold on national politics and the rural economy by appropriating their land with or without compensation depending on the situation. If compensation has to be paid, it can be financed through abolition of the concessions or tax-breaks allowed to commercial farms. This may generate an estimated Rand 100 million a year (Moll, P. G. 1991: p. 127). This can be put in a Land Fund to help the poor farmers who would receive the land and to compensate whites in appropriate cases.

It is clear that the land reform issue is very complex and would touch most people in the society. The civil society, therefore, has a critical role to play. First and foremost, it must clarify through debates, investigation and discussion what land reform actually means in a given context. Even within South Africa, it may mean different things in different places. Secondly, people must be mobilised to think and air their views on how they think they can be compensated if land cannot be redistributed for one reason or another. If any sort of genuine redistributive land reform takes place, then it must be with the support and involvement of the local people and farmers' associations in identifying and demarcating land boundaries through mutual

discussions. Both government and non-government agencies may provide legal and other help in the process. This can also be a political process through which the government can mobilize support for its land reform programme.

Land reform may in the beginning create some problems with agricultural production as many of the new recipients may not be efficient to begin with. However, this may be overcome in time with good extension facilities.¹⁷ While land reform is politically and economically very important, it must be borne in mind that it is not a panacea for all of South Africa's unemployment or rural development problem or the problem of the poor. Note particularly that only 15% of the country's land is good arable land and much of the nation's land suffers from erratic rainfall and drought while irrigation facilities are not widespread. This results in high variability of agricultural production both over space and time (Katzen 1992: p. 927). Therefore, other avenues for income and employment generation will have to be sought for sustained improvement of people's economic conditions.

Nationalization of Manufacturing and Mining

Nationalization of manufacturing and mining is not a viable alternative for more than one reason. First and foremost, the ANC, as discussed earlier, needs to have the business community as political allies. Secondly, the economic dislocation will be tremendous adversely affecting all South Africans and the blacks most. Thirdly, the government hardly has a cadre of trained economic managers with adequate technical and other skills.

Market Intervention to Increase the Bargaining Strength of Poor

State intervention in the functioning of the market can greatly influence both income generation and creation of employment. A particular policy

17. One major problem may be dislocation in food production. However, this may be less of a problem in practical terms for food security than may be realised as a large percentage of the basic food staff, maize, is exported and is not available for local consumption. Hence although a fall in agricultural production may hit the export sector, physical availability of basic foodstuffs for domestic consumption may not be too much adversely affected.

may be to improve credit facilities to small and informal sector business. The urban informal sector, given its economic importance, can tremendously generate income and employment for the poor. The experience of Grameen Bank in Bangladesh shows that credit can equally forcefully be used for income and employment generation in the rural areas (Hossain 1988).

One temptation for organized labour may be to pressurize for wage increases in mining and industrial establishments. This will very likely be self-defeating in a period of negative growth as at present. In any case this may also be self-defeating in the long run as future employment may be lower if substitution of labour with capital takes place. In any case given the need for political alliance, any major wage increase will be a difficult issue. Therefore the civil society, as represented by the trade unions, will have to tread carefully in formulating their demands. However, the government can always pressurize for improving non-wage working conditions like reduction of hazards in the work place. Similarly, other policies like anti-trust laws and equity-participation in investment by foreign companies in the country will be less difficult to put through.

Public Revenue and Expenditure Policies

The revenue and expenditure policies of the government can play a much important role in poverty eradication. Direct transfers to families in case of extreme suffering may be needed, particularly in times of distress (acute drought). In more normal times, a promising programme is to spend relatively much more on and for the poor so that their capability to compete with others is increased. Expenditures on human capital (health, education, nutrition programmes) and provision of infrastructures fall in these categories.¹⁸ Indeed, to equip the poor with income-earning skills on a sustainable basis, it would be necessary to practice a policy of 'positive discrimination' in their favour for quite some time.

18. For an illuminating study on how such restructuring of government budget may be done and their implications see, Berg (1991).

The generation of additional employment, particularly for the unskilled workers in the rural areas is going to be a major issue. While the capacity of the reformed agricultural sector may be limited as described earlier, the manufacturing and mining enterprises may be of little immediate help because of their inability to grow very fast requiring huge investible funds, possible lack of market demand and their requirements for labour with specialized skills. One particularly attractive option in this situation is to initiate rural infrastructure construction through public works programme. The ANC's policies also emphasis the public works programme. Such public works can be of various types, e.g., road construction, construction of irrigation facilities, water conservancy projects, afforestation and rehabilitation of degraded land. Because of their high intensity for use of unskilled labour, suitably designed and implemented programmes can help generate both short term employment for the poor and long term benefits through increased productivity. Because of self-selection, those who are really poor are benefitted through such programmes. Wage payments in food can also directly address food security of the poor.¹⁹ In neighboring Zimbabwe and in other African countries public works programme have been in operation for quite long (von Braun, Teklu and Webb 1991 : 42-51). Their experience may be studied for suitable modification and replication.

The civil society has major roles to play in all these state activities. It will have to watch out whether remnants of apartheid are still active and to take appropriate actions as described in the foregoing section. Secondly, for successful implementation of the programmes like public works programme local action groups may mobilize the poor for participation in them.

V. CONCLUDING REMARKS

The challenges to ensuring human rights are many in South Africa. Some are political, some economic, some psychological and some are of purely technical nature. Also these call upon both the state and the civil

19. See, Ahmed *et al* (1993) for a critical review of the extensive Bangladesh experience in this field. Also see, the references cited therein.

society to play mutually supporting positive and affirmative roles. The civil society, particularly also have to play a role of the watchdog to protect the rights of the people and to pressurize the state to enforce them.

A major problem in all these may be political asymmetry. The rich as usual are more organized and are almost sure to use their organized might to resist changes which may redistribute assets and income from them to the poor. On the other hand, the poor are less organized. Thus, reforms may be either slowed down or halted. But they need not be. If the poor are actively involved in the redistribution process themselves, if the local civil society defends its hard-earned rights, the positive effects of the reform will be long-lasting.

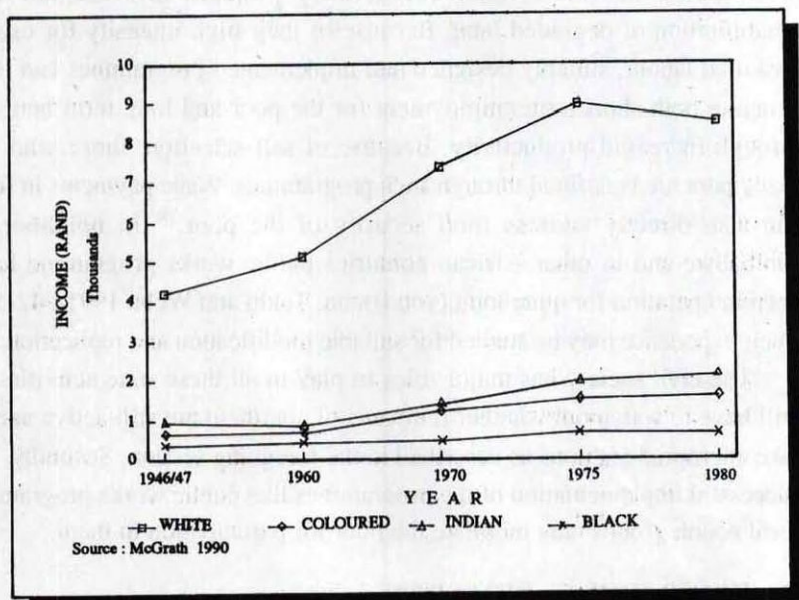


Figure 1
Per Capita Income by Race (Rand)

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