Citizenship and the politics of poverty definition during the segregation, apartheid and democratic eras in South Africa: 1910-2010

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Abstract

In social policy, there is a direct relation between citizenship with social rights and the understanding of poverty. The notion of citizenship with rights informs the conceptualization of poverty. The relation between citizenship and the conceptualisation and definition of poverty is explored in South African society covering segregation, apartheid and post-apartheid democratic periods. Marshall's theory of citizenship with its three elements of social political, civil and social rights is the theoretic-analytic framework employed in the thesis. In the segregation era there was a link between the denial of full citizenship to blacks and how poverty

was understood. This is evident in the adoption of policies and laws such as the civilized labour policy, discriminatory Wage Acts, Wage Boards to determine the level of wages of black workers and interventions such as the 1932 Carnegie Commission aimed at addressing the poor white problem. In the apartheid era, a system founded on racial discrimination, it was Edward Batson's PDL that he pioneered to demonstrate that there were many South Africans living below this 'barest minimum' that stood for 'existence at the lowest possible level' that was used to define poverty among blacks and adopted in fixing the wages of black workers. The wages of black workers remained lower than the PDL. The Household Subsistence Level (HSL) and the Minimum Living Level (MLL) were derivatives of the PDL (the HSL was exactly the PDL, the MLL was lower in value) and were conceptually similar were used as poverty definitions and poverty lines to fix the wages of black workers, thus showing the link between the denial of citizenship and the politics of poverty definition.

In the post-apartheid era with a Constitution that enshrines a Bill of Rights with explicit and specific social and economic rights, and human dignity, social justice and the commitment to improve the quality of life of all citizens as foundational values aimed at addressing extensive multi-dimensional poverty, apartheid era concepts and definitions of poverty (mainly the HSL and MLL) continue. This has been reinforced by the analyses of poverty undertaken by the World Bank in the post-apartheid era. There is, therefore, a conceptual discord and contradiction between the understanding of poverty expressed in social and economic rights in the Constitution and the use of absolute, minimalist, physical efficiency definitions of poverty. In the democratic era there are emerging studies and analyses of poverty that go beyond absolute measures and consider poverty as fundamentally multi-dimensional. However even these studies do not seek to operationalise the Constitutional provisions.

Dedication

To the millions of my generation in South Africa, men and women who were born under apartheid and lived through racial discrimination, who in many different and remarkable ways refused to bow and be defeated.

To my family and friends, my supervisor Professor Michael Noble and the CASASP family! This is only a milestone, in the long journey ahead.

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Chapter 1 Introduction

1.1 Citizenship and poverty in social policy

The topic of the thesis is *'Citizenship and the politics of poverty definition during the segregation, apartheid and democratic eras in South Africa: 1910-2010'*. The key themes that are explored within the thesis from a social policy perspective are as follows. The first theme is citizenship and its meaning. The second is poverty and how poverty has been understood and defined over the three periods covered by the thesis. The third is the examination of the conceptual link between citizenship and poverty. Drawing on the historical analysis, the fourth theme, examines the intersection of the two concepts of citizenship and poverty in democratic South Africa.

Citizenship, that is, social citizenship with rights, is now enjoyed for the first time in the democratic era by the black population. The notion of a 'citizenship with rights' is a foundational feature of the post-apartheid society. The country's Constitution alludes to multi-dimensional poverty through social and economic rights. Throughout the history of South African society poverty as a social, political and economic issue has been responded to through different policies in the segregation, apartheid and democratic periods.

Citizenship as a concept has a direct bearing on how poverty is understood. This connection has been convincingly postulated in social policy. In South Africa, this connection is paramount in understanding the meaning of citizenship in the Constitution and the definitions of poverty used in the democratic era. The historical analysis adopted allows the consideration of two

crucial and closely related developments. The first is bringing together the denial of full citizenship and the attendant conceptualisation and policy responses to poverty during the two periods of racial discrimination, namely, segregation and apartheid. The second is the exploration of conceptual convergence between a 'citizenship with rights' in the Constitution and the definitions of poverty that are adopted by researchers and policy makers.

Varied explanations and interpretations of what social policy is prevail. It is proper to posit the social policy theoretical perspective that is adopted in the investigation and analysis undertaken in this thesis. Rein (1970: 3) is of the view that 'social policy can be regarded as the study of the history, politics, philosophy, sociology, and economics of the social services'. Titmuss (1974: 30-1) identified three models of social policy, namely, the residual welfare model of social policy, the industrial achievement-performance model of social policy and the institutional redistributive model of social policy.

For Spicker (1995: 3) 'social policy is the study of the social services and the welfare state ... the social services are mainly understood to include social security, housing, health, social work and education – the 'big five' – along with others which are like social services, including employment, prisons, legal services, or drains'. Yet, for Gil (1992) accent is placed on the connection between the social and the economic in this manner:

> 'Economic policies which shape the management of resources, the organisation of work and production, and the exchange and distribution of goods and services, are not a separate policy domain, but an integral aspect of social policies. Economic policies are, however, frequently separated conceptually from social policies ... the separation reduces social policies conceptually to a residual function, focused mainly on victims of economic policy.' (Gil, 1992: 38)

In this thesis, in averment with the writers cited above, the social policy perspective that is adopted is that where social policy is taken broadly to be the study of 'social interventions aimed at securing social change to promote welfare and well-being of citizens' (Alcock et al, 2003: 4).

The two concepts of citizenship and poverty have been extensively analysed in different social and political contexts with various theories and frameworks developed. Extensive literature on both citizenship and poverty from a range of theoretical and conceptual perspectives exists. A brief introductory outline of these concepts is given for the purpose of delineating the focus and scope of the thesis.

Starting with citizenship, historical accounts of the development of this concept to its current understanding abound (Heater, 1990; Riesenberg, 1992; Turner, 1993; Oliver and Heater, 1994; Bulmer and Rees, 1996). Writings on the concept of citizenship place the concept at the core of political contestations and social organisation. Theories of citizenship have been constructed and debated (Marshall, 1950; Turner, 1990; Turner and Hamilton, 1994; Walby, 1994; Stewart, 1995, and many others). TH Marshall (1950), in his collection of lectures *'Citizenship and Social Class'* presented a formulation of citizenship that has had an enduring influence on the understanding of citizenship and the different rights – political, civil and social - associated with citizenship in the contemporary world.

The literature on citizenship produces scant results on the application of the concept of citizenship with political, civil and social and economic rights in the context and analysis of

poverty concepts and definitions in a developing country. It is perhaps the Constitution of India, a developing country, and the provisions of the Indian Constitution that have received attention to test and evaluate the realisation of social rights in that society (For example Austin, 2001; Shankar and Mehta, 2008). It is beyond the scope of this thesis to draw from the Indian Constitution or to point to similarities with the South African Constitution.

On poverty on the other hand, few issues and social challenges have received as much attention, have been the subject of analyses, contestations, and remain topical at the international, regional and national levels. Poverty, its definition, causes and explanations provided for its existence, policies to address it, are in many societies fraught with contestations. As Alcock (1993: 3) reminds us, poverty is a 'contested political concept'. In the observation by MacGregor (1981) the main debates on poverty are about its definitions. Poverty as a social, political, economic, race, power relations, gender and socio-economic rights issue is researched, analysed and argued about from multiple perspectives with varied results and conclusions.

Broadly, definitions of poverty fall into two main categories, namely absolute concepts and definitions of poverty and relative concepts and definitions of poverty. In the literature, absolute definitions of poverty tend to be minimalist and are based on the attainment of physical efficiency and predominantly focus on income measures only. The idea of the physiological minima is central in absolute concepts of poverty. Relative definitions of poverty consider poverty as fundamentally multi-dimensional and emphasise social inclusion and political, social and economic participation of citizens.

The different definitions of poverty carry far reaching implications for the explanations, causes and policy solutions to address poverty. Also, fundamentally, the conceptual perspective on poverty that is adopted, absolute or relative, income or multi-dimensional, can either be in accord with the notion of a citizenship with rights or be in conceptual discord with it. In post-apartheid democratic South Africa conceptual perspectives on poverty can be in alignment or in discord with the Constitution-derived 'citizenship with rights'. This is one of the compelling reasons for using Marshall's theory of citizenship as the framework. There is a striking convergence between Marshall's theory of citizenship with the three elements of political, civil and social rights, and the Constitution of the Republic of South Africa with the Bill of Rights stipulating political, civil and social and economic rights.

1.2 Citizenship and poverty in social policy: The conceptual link and intersection

In social policy, not only are the two concepts of citizenship and poverty researched, studied and analysed separately and independently of each other, a number of writers in the field of social policy have made illuminating contributions in bringing together the two concepts and examining the conceptual link and connection. The focus of the conceptual link is based on taking the social dimension of citizenship which refers to 'the right to a modicum of economic welfare and security' (Marshall, 1950: 10) and using this to inform the understanding of poverty and its definition. This relationship between citizenship (with a clearly defined set of social rights) and poverty is of consequential import in the post-apartheid social and political context in South Africa.

1.3 Understanding the link between citizenship and poverty in the post-apartheid democratic South Africa: the importance of history

The historic election in April 1994 officially marked the end of apartheid and this brought about the attainment of full citizenship for all South Africans under a non-racial democratic government. The ANC, formed in 1912 (Worden, 1994; Beinart, 2001), assumed the responsibility for the formulation and implementation of policies to address the many social and economic challenges facing the new society. In 1996, South Africa, with the ANC at the helm of government, adopted its Constitution that has an explicit Bill of Rights with social and economic rights. However, to have full appreciation of the 'citizenship with rights' and the concepts and definitions of poverty adopted in the democratic era, the history of South African society on both citizenship and poverty definitions is crucial.

There is, in South Africa, correspondence and agreement between the race-based segregation system between 1910 and 1948 and the state's understanding and response to poverty in this period. This is chiefly characterized by the Carnegie inquiry into white poverty in the 1930s which was followed by the creation of a government system that realized and fulfilled the social welfare and economic rights of the enfranchised white population only. Poverty in the black population during the segregation period was known and ignored. Many writers had recorded and written on black poverty in this period. In the apartheid era the denial of full citizenship to blacks was entrenched with greater resolve. It is in this period that we find the Poverty Datum Line (PDL) designed for the attainment of merely physical efficiency being used to define poverty in the black population and to set the wages of black workers. This is a poverty measure that represented existence at the lowest possible level according to Edward Batson, the pioneer of the PDL in South Africa.

In the post-apartheid democratic era with a Constitution with social and economic rights, the rational expectation is that the definitions of poverty will correspond and align to the Constitutional provisions which were set with the objective of addressing multi-dimensional poverty. Further it is in the history of South African society that we find explanations and antecedents of the type of Constitution South Africa adopted in 1996 after the fall of apartheid. It is also in the history of South African society that we find reasons for the conceptual discord and contradiction between absolute, physiological minima definitions of poverty in the democratic era and the post-apartheid Constitution that frames poverty very differently. In the history of South African society, using segregation and apartheid, it is evident that citizenship (as to its fulfillment or denial) has had corresponding policy responses and definitions shaped by the dominant political and ideological framework of the state.

1.4 The Research Question

The thesis seeks to examine the conceptual link between citizenship with social rights, and the definition of poverty. First, the South African Constitution enshrines social and economic rights that are aimed at addressing multi-dimensional poverty. Second, many studies have shown that South Africa is a society that is characterized by high levels of multidimensional poverty.

The main research question is therefore *'to what extent are definitions of poverty in the post-apartheid democratic era linked to South Africa's Constitution with the Bill of Rights containing explicit social and economic rights that are directed at tackling multi-dimensional poverty in the post-apartheid era?'*

In order to provide answers to this main research question and arrive at a considered conclusion, several subsidiary questions that focus on investigating the historical developments on citizenship and poverty during the different periods complement the main research question. These questions are:

- If citizenship and poverty are conceptually linked, what form with regards to policies, laws and practices did the denial of citizenship take in the segregation and apartheid periods and what is the understanding and definition of poverty that predominated during the segregation and apartheid periods?
- What are the historical origins and meaning of the 'citizenship with rights' that is the foundation of post-apartheid democratic South Africa?
- What are the implications of the 'citizenship with rights' for poverty definition and measurement in post-apartheid South Africa?
- What definitions of poverty are used in the post-apartheid democratic era by government and academia?
- Is there any evidence of the conceptualisation and definition of poverty in the democratic era that resonate with the Constitution?

1.5 Methodology

This section provides an account of how the collection of data, information and evidence was undertaken to answer the research questions. To logically argue and make valid conclusions on the topic of the thesis and the research questions relating to the topic, the research methods adopted are important as there has to be correspondence between the methods used to collect empirical evidence and the application of the information.

Two corresponding research methods are used in gathering information for the thesis. The first is document and content analysis. The second is semi-structured, in-depth interviews on citizenship and poverty in South Africa with policy makers and key opinion makers. The two research methods complement each other in that the content of documents on both citizenship and poverty is analysed and the views of policy makers and key opinion makers are researched to establish the convergence or disjuncture between the meaning of citizenship and the definitions of poverty. In other words, whilst the thesis considers the link between citizenship and poverty, the views of policy makers and key opinion makers are employed to test the validity of arguments advanced.

1.5.1 Document and content analysis

In South Africa, there are key documents and statements that spell out the understanding and meaning of citizenship in the segregation, apartheid and democratic eras. During the segregation and apartheid eras, in the struggle for full citizenship in South Africa, documents and statements expressed and captured in a very lucid manner the type of citizenship that the post-apartheid society was to adopt and implement. The same applies in the post-apartheid democratic era as citizenship has been written into the founding documents in a significant way. Covering the three periods the key documents considered and the contents analysed are the 1923 Bill of Rights of the South African National Native Congress, the Africans' Claims of 1943, the Freedom Charter of 1955, writings of the ANC on citizenship in the period before the 1994 elections, the 1993 interim Constitution and the South African Constitution adopted in May 1996.

On poverty, in the segregation era, developments such as the Native Labour Regulation Act of 1911, the Mines and Works Act of 1911, the Industrial Conciliation Act of 1924, the civilised labour policy of 1924, the Wages Act of 1925, the 1926 Industrial Colour Bar Act, the Carnegie Commission into white poverty in the early 1930s, are some of the examples that represent political approaches and policy decisions on the question of poverty in the black population. Edward Batson's studies on poverty started in Cape Town in 1938 with the first publication on poverty analysis using the PDL in 1941. This marked the beginning of systematic studies and analysis of poverty in South Africa.

In the apartheid era Edward Batson's work on the PDL continued. Organizations such as the South African Institute of Race Relations conducted annual living conditions and socio-economic indicators surveys that included the PDL. In 1973, the Institute for Planning Research at the University of Port Elizabeth started periodic research and studies on the PDL. The Bureau for Market Research at the University of South Africa calculated the Minimum Living Level (MLL) in South Africa. The Second Carnegie Commission in the mid-1980s issued research and analysis of poverty in the black population in South Africa utilizing various poverty measures. In the post-apartheid period, the analysis of documents on poverty from government departments, academics, researchers and institutes takes a different perspective. The reason is that the many documents are written in a 'policy context'. It is the content of these documents that is analysed to extract the understanding and definitions of poverty that are utilized.

1.5.2 Semi-structured in-depth interviews with policy makers and key opinion makers

Policies, Paul Spicker (1995) tells us, 'have to be made'. Senior civil servants, academics, researchers, heads of commissions and committees, ministers, interest groups, Non-Governmental Organizations with specific interests, all get involved, to varying degrees, in the policy making process. Semi-structured, in-depth interviews with policy makers, key opinion makers and heads of organisations involved in anti-poverty research and policies are the second data collection technique utilised. A semi-structured in-depth interview schedule was constructed for this purpose. The interview schedule is included as Appendix A. The main sections of the interview schedule focused on (i) introductory questions designed to establish interviewee's general understanding of South Africa's transition and key social and political aspects of this period, (ii) citizenship and the South African Constitution, (iii) poverty and, (iv) exploring the link between citizenship in the South African Constitution and poverty. The interview schedule was piloted and improvements made in the wording and sequence of sections and questions. A total of 32 interviews with policy makers and key opinion makers were conducted and recorded for analysis. The list of policy makers and key opinion makers interviewed is presented as Appendix B.

Important to note is that the incorporation and use of the views of policy makers and key opinion makers in the thesis is in a specific particular way. The views and opinions are referred to mainly in Chapter 6 when the meaning of citizenship in post-apartheid democratic South Africa and its implications for poverty definition and measurement is fully explored. The people interviewed come from a range of different academic fields and occupy positions in different establishments. The sole interest in their views and opinions is in the context of their understanding of firstly, the citizenship with rights in the post-apartheid period, secondly, poverty definitions used, and thirdly, the exploration with them of the link and connection between the citizenship with rights and definitions of poverty in South Africa.

As presented in this introduction, the thesis seeks to advance points and arguments that assert a link between citizenship and poverty and that absolute, physiological minima definitions of poverty are at variance with the Constitution-based citizenship. Therefore the policy makers and key opinion makers were presented with a platform (through the semi-structured, in-depth interviews) to confirm and agree, or contest and disprove, the central arguments the thesis is advancing. The views expressed are therefore utilized in this way that is framed and limited by the scope of the thesis. As the citation of the interviews in the thesis demonstrates, the policy makers and key opinion makers interviewed were in agreement with the link between the citizenship with rights and what should be the understanding and definition of poverty in the post-apartheid period.

1.6 Outline of thesis chapters

Chapter 2. The analysis in the thesis is undertaken within a theoretic-analytic framework in the area of social policy. The chapter starts with a broad exploration of international literature and writings on citizenship with a specific highlight on the social dimension of citizenship. This is followed by a review of the literature and writings on poverty with emphasis on relative definitions of poverty that emphasise social and economic participation and inclusion. The relevance of social and economic rights in this context is highlighted. TH Marshall's theory of citizenship that is adopted as the theoretic-analytic framework in the thesis is introduced and discussed.

Chapter 3 is on the denial of full citizenship to blacks in South Africa from 1910 at the formation of the Union of South Africa until the holding of non-racial inclusive elections in 1994. Chapter 3 draws from writings on South African history. This is undertaken with a focus on historical examples and key developments in the segregation and apartheid periods that illustrate the denial of full citizenship rights to blacks in South Africa.

Chapter 4. It was in the segregation era that Edward Batson started his studies and analysis of poverty using the PDL. This Chapter offers an in-depth analysis of Edward Batson's PDL.

Chapter 5 shows how the PDL was changed into a proliferation of poverty lines in the apartheid era. The derivatives of Batson's PDL, namely the Household Subsistence Level (HSL) and the Minimum Living Level (MLL), are presented. The Chapter provides an analysis that shows conceptual convergence and similarities between Batson's PDL and the HSL and MLL.

Chapter 6 explores the fact that post-apartheid South Africa is characterised by a 'citizenship with rights' as the Constitution enshrines political, civil and social and economic rights. The origins of this 'citizenship with rights' receives full treatment as the content of key documents such as the 1923 Bill of Rights of the ANC, Africans' Claims of 1943, the Freedom Charter of 1955 is analysed together with the writings of the ANC on citizenship in the period leading to the 1994 elections. The meaning and understanding of citizenship in the democratic era is explored through analysing, first, the contents of the Constitution, second, the judgements of the Constitutional Court on selected key cases, third, views of the Justices of the Constitutional

Court, and fourth, writings of academics on the meaning of citizenship in the post-apartheid era.

In Chapter 7, the conceptualisation and definition of poverty in post-1994 South Africa is analysed. Chapter 7 gives an account of key select studies and research on poverty that inform us how poverty is conceptualised, defined and measured in the democratic era.

Chapter 8 considers approaches and the conceptualisation and definition of poverty in democratic South Africa that resonate with the South African Constitution. The Chapter focuses on the few studies of poverty that go beyond the absolute definitions of poverty and consider poverty as fundamentally multi-dimensional.

Chapter 9 presents conclusions on the study and investigation carried out. The research questions that were formulated are re-stated and answers to the research questions are provided from the substantive arguments and discussion in the Chapters of the thesis.

1.7 What the thesis is not about

The thesis, in its exploration of citizenship and poverty in the South African context, draws from writings on the history of South African society and key political developments from 1910 – 2010 that characterise this history. From a social policy perspective, the discussion and arguments are on both citizenship and poverty in a historical context. Historical examples are selected to illustrate the laws, policies and practices that capture the denial of citizenship to the

black population and policy approaches by the governments of the segregation and apartheid eras on poverty. The thesis does not attempt to offer a new perspective on South African historiography. The aim is not to write a general universal history of the domination and repression of the black population in every sphere of their lives during the periods of segregation and apartheid. Neither is the aim to provide a chronological analysis of laws, policies and measures imposing or reinforcing the denial of citizenship and rights.

1.8 The use of the term 'basic' and emphasis on the multi-dimensional nature of poverty

The use of the term 'basic' in the thesis in relation to the contents (goods and services) that define poverty or a poverty line needs clarification as the term is used in both physiological minimum as well as in relative, social and economic inclusion definitions of poverty. In the World Bank's definition of poverty, reference is made to 'basic' as in 'the inability to attain a minimal standard of living measured in terms of basic consumption needs' (World Bank, 1990).

Lister (2002) uses the phrase 'basic social entitlements'. Plant (1988) points to the 'basic goods of citizenship'. Writing on the South African context, Liebenberg (2002) speaks of 'a society based on human dignity, equality and freedom strives to ensure that the basic necessities of life are provided to all'. Further, during the interview, Justice Mokgoro of the Constitutional Court of South Africa made the assertion that:

> 'The Constitution protects access to these socio-economic needs. These basic needs, housing, health, food … all so basic to human rights and basic dignity. It is about human dignity. Quality of life is about human dignity.' (Interview Justice Yvonne Mokgoro)

The use of the term ‘basic’ in the thesis follows the expressions from Lister (2002), Plant (1988), Liebenberg (2002) and Justice Mokgoro cited above to capture a socially acceptable minimum floor of provision and not a ‘minimal’ standard of living.

On the multi-dimensional nature of poverty, the thesis emphasises the point that in the post-apartheid context, with appreciation of the social and economic outcomes of the segregation and apartheid systems, the conceptualisation and definition of poverty, has to be multi-dimensional and cover, as a minimum, the social and economic rights in the Constitution. For poverty definitions to be relevant in democratic South Africa, adopted definitions have to be as close as possible to the constitutional provisions.

Chapter 2 Literature review and theoretic-analytic framework

2.1 Introduction

The concept of citizenship is prominent in the study and analysis of social and economic rights that members of a society have. These rights are related to the quality of life enjoyed by

citizens. This concern with citizenship and the different rights that are associated with it is present in both the developed and developing countries. In the developing world scholarship on citizenship is growing. India and South Africa are the two examples most written about as these countries adopted constitutions that elaborate a range of social and economic rights. These rights that derive from citizenship explicate the meaning and content of membership of these societies.

The notion of citizenship and its legal, political, economic and social meaning are pivotal in the study of social and political systems, particularly the investigation of the role of the state and its relationship and obligations to members of the society it governs, the multiple aspects of the arrangements and contract between the state and its citizens. A survey of the history of humankind in its many paths to the modern era shows that citizenship ranks high as a central organizing principle. Thus, from philosophy, political science, economic history, sociology and other different analytic perspectives we see significant and growing attention to citizenship as the nature of human society and the relations that obtain within these societies are investigated (Roche, 1992; Janoski, 1998; Heater, 1990; Barbalet, 1988; Andrews, 1991).

As the idea of citizenship is placed under scrutiny in the many social and political contexts, as to its meaning and content, the issues of the quality of life enjoyed or not enjoyed by members of a society, social disadvantage and poverty come in as the constitutive elements of citizenship are laid bare. The correspondence between citizenship with the different rights associated with it on the one hand, and social and economic wellbeing on the other hand, and the understanding of poverty are prominent in establishing the value of the idea of citizenship.

At the global, regional, national and local level, even greater and more in-depth analyses are dedicated to the issue of multidimensional poverty (World Bank, 1990; United Nations, 1995; SADC, 2008; Statistics South Africa, 2011). The many sites in the analyses of poverty within social sciences are found in the subject areas of sociology, economics, political history, social work, the field of social policy and others (see for example Marshall, 1950; Turner, 1990, 1993; Turner and Hamilton, 1994; Oliver and Heater, 1994; Dwyer, 2004). The analyses of poverty across the various areas of study covers multiple perspectives and numerous topics including concepts used to capture its nature, definitions, its estimation and levels at the international, regional, national and local level including comparisons between regions and between countries (World Bank, 2009; OECD, 2008).

Whilst both citizenship and poverty are investigated and analysed as independent and separate concepts in their own rights, there is a body of investigation and analysis that seeks to cast light on the relation between these two concepts. Appreciation of the core elements of citizenship, particularly social citizenship indicates that there is a rational and inescapable connection between living in poverty, and the provisions and entitlements to social and economic goods and services that derive from the rights of citizenship.

Chapter 2 sets out to accomplish three objectives. The first is to present a literature review covering the areas of citizenship and poverty. The second is to show the link between citizenship and poverty. The third is to provide the theoretic-analytic framework within which the analysis in the thesis is carried out. To meet these objectives the Chapter is structured in

the following way: The Chapter starts with a review of the literature and writings on citizenship. This is a broad review of the major developments in the idea of citizenship from ancient Greece to the modern era. After this broad take on citizenship focus shifts to social citizenship which is the dimension of citizenship that directly captures social and economic rights. This is the social element in TH Marshall's theory of citizenship. The Chapter proceeds to consider literature and writings on poverty providing a broad yet focused discussion on key developments in the understanding and definition of poverty and different methodological approaches that have emerged in the analyses of poverty. This is followed by an overview that brings out the character of relative definitions of poverty (that emphasise the participation and political, social and economic inclusion of citizens). The conceptual difference between relative definitions and absolute, minimalist definitions (that are based on the notion of a physiological minima and the attainment of physical efficiency) is pointed out. The correspondence between relative definitions of poverty and social and economic rights of citizenship is highlighted. After this exploration of both concepts of citizenship and poverty, the Chapter gives an account of TH Marshall's theory of citizenship. The section on the theoretic-analytic framework goes beyond TH Marshall and considers other writers in social policy that are in agreement with Marshall's theory and have enriched this theory.

2.2 Literature and writings on citizenship

Citizenship, as the literature on the subject indicates, continues to receive scholarly attention world-wide. The history of citizenship as a political and social idea is long and intricate. When the social, political and economic perspectives of the history of the world are considered, it is evident that the wars, conquests and struggles have brought about changes in power relations, the relationship between the state and citizens and the allocation and distribution of public resources. This is one of the main reasons behind the extensive writings on citizenship.

A broad survey of the history of many societies in the world today throws light on the vision and the important social and political organization and societal relations embedded in the idea of citizenship. This is particularly the case in those societies whose political systems have been shaped by the formation of the modern nation state with its institutions and guarantees. The historical trajectory of the concept of citizenship has seen this important social and political construct find application in societies that were under colonial conquest and rule. The example of India and South Africa given above being two of many. Some of these societies went on to embark on struggles for equal rights with the idea of citizenship central in the framing of the vision and values to shape the new political dispensations.

The outline given here provides a high level overview that shows the development and evolution of citizenship in the spheres of political participation (the political dimensions), freedom of individuals and the equality of all citizens before the law (the civil dimension) and the emergence and institutionalisation of social rights aimed at providing for social and economic wellbeing (the social dimension). The thrust in the discussion is on social citizenship. There is no attempt made to provide a detailed and historical review of the political rights and civil rights associated with the concept of citizenship. The brief and broad outline of political and civil rights presented here forms part of the rich background and not the focal point of the literature and writings considered.

Participation, inclusion, rights, entitlements, duties, obligations are some of the attendant descriptive terms associated with citizenship. Evidently, the notion of citizenship pervades the

modern democratic polity. With this appreciation of the descriptions of citizenship, and as we seek to know the meaning of citizenship in post-apartheid South Africa and to understanding the definitions that are employed when the extensive multi-dimensional poverty is analysed, it is imperative that the different aspects and elements of citizenship are investigated.

Written into the concept of citizenship is therefore the role and duties of the state and the policy choices that are made. This comes with the expectation that the policy choices made by the state derive from the adopted values and principles of the society in which the state discharges its policy responsibilities. As such, the expectation is that concepts, definitions, policy and practice flow from the values and principles that societies adopt when framing their social and political organization. Appreciating this line of thought on the state and the rights of citizens, writers such as (Barbalet, 1988: 17) hold the view that citizenship rights `may be better called the duties of the state to its members'. For Tilly (1997) citizenship is a social contract, a relation binding the state and its people. Similarly for Lewis (1998: 104) 'the citizen is one way of imagining a link between the state and the individual'. It is, in part, these 'duties of the state' for rational and coherent policy choices that need to be borne in mind as the nature of citizenship is examined and applied to South African society in the democratic era.

In the writings on citizenship it is a commonly held view that the idea of citizenship as a social and political concept has its origins in ancient Athens in Greece (Heater, 1990; Manville, 1990; Riesenberg, 1992; Oliver and Heater, 1994; Zicone, 1999; Dwyer 2004). As Beiner (1995: 30) informs, 'the "classical" account of citizenship as an Athenian "ideal" is to be found in Aristotle's *Politics*'. According to writers, this idea of citizenship later found its application in political systems in other parts of the world.

The Athenian origin of citizenship and the subsequent export and use of this idea in many societies in the world has seen different formulations employed when the nature of citizenship is explained. Dwyer (2004: 3) raises the point that 'the language of citizenship is used in a multitude of contexts'. It is therefore evident that as social and political contexts vary and as societies face unique challenges at different moments in their histories, the meaning and content embedded in the idea of citizenship changes. Flowing from this appreciation of different contexts, Oliver and Heater (1994: 8) assert, correctly, that there is 'no universally accepted definition' of citizenship and 'many a distinguished writer on citizenship has argued that agreement concerning its nature is utterly impossible' (Oliver and Heater, 1994: 36). Faulks (1998), for instance, identifies three definitions or perspectives that are commonly employed in the definition of citizenship, namely, the legal definition, philosophical definitions and the socio-political definitions'. What is paramount is to acknowledge that 'different types of political communities give rise to different forms of citizenship' (Barbalet, 1988: 2). Turner and Hamilton (1994) share this view of multiple meanings of citizenship and according to them:

> 'There are radically different traditions of citizenship in modern social theory, which reflect the profoundly different historical experiences of the evolution of citizenship in different socio-political contexts … citizenship is not a unitary concept but reflects profound differences in the historical experience of political participation.' (Turner and Hamilton, (1994: ix)

Oliver and Heater (1994: 4) make reference to 'continuing ideological differences' when the history, theory and practice of citizenship are considered. The relevance of this point, in so far as the analysis carried out in the thesis is concerned, is that the ideological differences (when

it comes to the meaning of citizenship) are attended by aligned ideology-derived and ideology-reinforcing concepts and definitions.

Janowitz (1994) whilst in agreement with the many meanings and contexts, provides a more elaborate explanation that identifies at least three analytic strands in the concept citizenship. Accordingly:

> 'Citizenship is a complex term with various meanings. Its past political success does not imply that its currency has rested on clarity or unity of perception on the part of electorates, political leaders, or intellectuals. Various meanings reflect different usages. First, citizenship is a moral judgment ... Second, it is a concrete, empirical, and descriptive term. In this sense, citizenship refers to a particular set of obligations and rights vested in eligible persons in a specific nation state. (While there were historical periods in which citizenship meant membership in a city state, in the contemporary era, citizenship is linked exclusively to the nation state.) Third, citizenship can be thought of as an analytic term. In this sense, citizenship encompasses (a) the protection a state offers to its core members, (b) the opportunities a state creates for its core members for political participation, or (c) a combination of both these elements.' (Janowitz, 1994: 43)

To accentuate the issue of varying social and political contexts, different traditions and historical experiences alluded to by the authors above, some of the contestations that have attended developments in the idea of citizenship are worth a passing mention. In the multiple meanings and applications, exclusion, denial, conquest and contestations are an integral part of the social and political history of citizenship. At different times in the same societies, slaves, women, different race groups, the uneducated, the landless, the poor, have all been denied rights of full citizenship. Even in the Greek city state of Athens 'resident foreigners, women, slaves and the peasantry of the rural environment of the city were all excluded' from the status of citizenship (Heater, 1990: 4). The emancipation of women, the realization of universal suffrage and the enjoyment of full citizenship rights by women took centuries and political

battles for even societies that considered themselves civilized and advanced to bring this into full effect.

The discrimination on the basis of race and the denial of mainly black people of full citizenship rights was a constitutive aspect of the colonial project that extended into many parts of the globe. In the African continent, with the history of colonial conquest and racial discrimination, it was only in 1994 that a racially inclusive political system was installed in South Africa. For the first time in its history the country was transformed into a 'democratic state' with commitments to 'equality', 'non-racialism', 'universal adult suffrage', 'a common South African citizenship' and 'equal entitlement to the rights, privileges and benefits of citizenship' (RSA, 1996a).

The identification of citizenship with primarily political participation and membership of a political community has seen greater attention on the political aspect of citizenship and the legal status of politically delineated collectives. Historically, coming along with the emphasis on the political dimension of citizenship has been the demand for freedom of the individual and equal treatment before the law of all citizens, regardless of hereditary status, gender, race, possession of property or educational qualification. In the view of many writers, it was the French Revolution and the American War of Independence that made concrete steps and led to the universal substantive establishment of both political and civil rights (Heater, 1990; Oliver and Heater, 1994; Andrews, 1991). In the aftermath of these historical moments issues of political participation, equality and freedom became key rallying points in these societies.

The coding into law of nearly every aspect of human interaction in the many contracts and agreements that characterize the rise of capitalism saw the ascendance of courts as arbiters in all legal matters between citizens, and between the state and its citizens. This saw a 'move from the citizen as a political being to the citizen as a legal being, existing in a world of persons, actions, and things regulated by law' (Beiner, 1995: 34).

Other than TH Marshall, some authors have offered theories and conceptions of citizenship that focus on political and civil rights. A few examples in social policy are given here. Aligning the political and legal perspectives of citizenship, Stewart (1995) posits two conceptions of citizenship.

> 'The first of these, state citizenship, involves the identification of citizenship with the elaboration of a formal legal status, coterminous with the emergence of nation-states and their diverse lineages. A second conception, that of democratic citizenship … involves the elaboration of citizenship around shared membership of a political community, in which conception citizens are political actors constituting political spaces.' (Stewart, 1995: 63)

According to Mann (1987) the idea of citizenship with the rights associated with it should be seen as a strategy of the ruling class designed to protect, legitimize and consolidate their interests, privileges and gains. Even with citizenship with political and civil rights, the central interests of the ruling class remain intact and unchanged. For Turner (1990) citizenship is organized around a twofold matrix, public/private, active/passive, depending on whether the status of citizenship comes from below or is imposed from above. Very usefully, Prior et al, (1995) point to a relevant distinction predicated on the nature and practice of citizenship. For these authors:

> 'Fundamentally, the issue turns on the distinction between formal and substantive citizenship: between citizenship as a status which gives individuals formal possession

> of rights and entitlements, and citizenship as a status which provides individuals with the opportunity or capacity to realize those rights and entitlements.' (Prior et al., 1995: 11)

This distinction is crucial as it assists in the analysis of the meaning of citizenship and prompts inquiry into what states do for their citizens and how the status of citizenship brings about changes in the material circumstances of citizens.

In contemporary analysis of citizenship and citizenship rights, especially from a legal perspective, different generations of rights are identified. According to Steiner and Alston (2000: 237) the Universal Declaration of Human Rights which was adopted in 1948 (the same year South Africa adopted racial discrimination as the anchor principle of the Apartheid system) 'recognises two sets of human rights: the 'traditional' civil and political rights, as well as economic, social and cultural rights'. It is Karel Vasak (1977) who is credited with the introduction of the scheme of generation of rights. Explaining Vasak's scheme, Claude and Weston (1989) note that:

> 'Particularly helpful … is the notion of three 'generations' of human rights advanced by the French jurist Karel Vasak. Inspired by the three themes of the French Revolution, they are: the first generation of civil and political rights (*liberte*); the second generation of economic, social and cultural rights (*egalite*); and the third generation of solidarity rights (*fraternite*).' (Claude and Weston, 1989: 21)

With this brief overview of the political, civil and legal aspects of citizenship, important and relevant in their own way, attention now falls on the social dimension of citizenship, that is the social and economic rights associated with being a member of society. It is post-apartheid social citizenship (social and economic rights in the South African Constitution) that the study

is investigating to establish if the understanding and definition of poverty is linked to the 'citizenship with rights' that is the hallmark of the newly formed democratic society.

2.3 The social dimension of citizenship

How is social citizenship explained and what conclusions are to be drawn from the given explanations? As Turner and Hamilton (1994: vii) assert 'it is difficult in fact to distinguish the study of citizenship from the study of rights'. Dwyer (2004) makes insightful observations on the meaning of social citizenship. First, 'social citizenship is a centrally important aspect of any wider notion of citizenship' and 'rights, in particular social or welfare rights as they are often referred to, are central to the idea of citizenship' (Dwyer, 2004: 6). Further, 'in order for citizenship to have *a substantive meaning* (own emphasis) for all members of a given community' (Dwyer, 2004: 6) entitlements to socially provided goods and services, that is social rights, are essential. Oliver and Heater (1994: 3) 'identify six strands or themes in debates about citizenship' and one of the strands is 'social citizenship which is concerned with property and emphasizes the right of the individual as citizen to enjoy *a certain minimum level of welfare*' (own emphasis)'.

Marshall's theory of citizenship includes social citizenship, that is the social element according to Marshall's theory. The discussion in this section on the social dimension of citizenship is to consider what writers on social citizenship (other than Marshall) state and observe on this aspect of citizenship. The aim is to look at the nature of social citizenship, its purpose and goal in society and how this particular aspect of citizenship is applied in the different social and political contexts. The exploration of social citizenship is intended to establish if there is any direct correspondence between social citizenship and the understanding and definition of poverty in societies in which social citizenship is expressed.

In order to have a grounded appreciation of the social dimension of citizenship it is apposite that we examine what writers see as the historical, social and political context out of which social citizenship arose. According to the literature on the subject, historically two key developments were crucial in, one, the introduction of social citizenship, and, two, its institutionalisation and establishment (For example Thane, 1981; Flora and Heidenheimer, 1981; Fraser, 1984; Pierson, 1991). The first key development is the rise of industrial capitalism. The rise of capitalism as the main and dominant form of economic organization and the resulting social re-organisation that accompanied this rise is seen by many writers as the economic and political circumstance that gave birth to social citizenship. The second is the emergence and rise of the modern welfare state through which social citizenship is institutionalised. Under the welfare state key social and economic areas are brought under the jurisdiction of the state through national policies with the objective of ensuring the wellbeing of all citizens.

Historically the central tenet of *laissez faire* capitalism was the self-regulating market as argued by Karl Polanyi in *The Great Transformation: The Political and Economic Origins of Our Time* (1944). It is the failure of this self-regulating market to provide jobs, secure life-long income and other necessities of life that compels societies to intervene to ensure and protect the wellbeing of citizens. The welfare state and its historical antecedents are generally viewed as carrying the central elements of social citizenship within its social and economic organization. Contributors in these debates see state-led social provision which is the *sine qua non* of social citizenship as 'associated with the broad processes of industrialization and, particularly, the breakdown of traditional forms of social provision and family life' (Pierson,

1991: 14). For Turner and Hamilton (1994: 28) 'citizenship in the full sense of the word is an outcome of the decline of feudal and slave societies, and therefore directly related to the emergence of the modern industrial capitalist society'.

Heater (1990) sees the origins of social citizenship in this way:

> 'In the nineteenth century the great majority of citizens gave their loyalty to the state, their muscles and skills to the economy and, in the event of war, even their conscripted lives for their country. The meagre protection of the law and the slow and grudging concession of the vote hardly balanced in the scales. The state, it was increasingly argued, *owed its citizens a measure of protection against poverty. Citizenship must incorporate social welfare*. (own emphasis) Throughout the western countries during this period working-class men engaged in various activities in attempts to exact from the state what they thought was their due.' (Heater, 1990: 70)

A survey of the literature in social policy shows that there is convergence on how social citizenship is explained and characterized. The goal of social citizenship being the social and economic wellbeing of citizens. An analysis of citizenship in most countries in the Western world shows that social citizenship is practiced varyingly in societies, thus highlighting the ideological differences and social and political contexts. For example, the observations and conclusion of different welfare regimes drawn by Esping-Andersen (1990) demonstrates the varied application of social citizenship and what states consider to be the entitlements, that is, goods and services that are part of social provision in the different societies.

Having briefly outlined the emergence of social citizenship, we now consider how this aspect of citizenship is explained in the literature. What purpose and function is played by social citizenship in modern societies? Citizenship, Oliver and Heater (1994: 19) tell us 'is not only

embodied in civil and political rights; it has a social form'. It is this social form that constitutes the social dimension of citizenship and 'involves the acceptance that the state owes certain services to the citizens as a right' (Oliver and Heater, 1994: 20). Arising out of this understanding, there is a reason behind the social dimension of citizenship employing the language of social rights. In societies in which social rights are recognized these rights are 'claims to benefits guaranteed by the state' (Barbalet, 1988: 20). Turner and Hamilton (1994: 27) see this component of citizenship as being about 'the right to certain privileges and protections'.

Expounding on social citizenship (Lister, 2002) mentions 'basic social entitlements'. It is indeed crucial to observe that these entitlements are 'basic', not comprehensive, not extensive and they are also not everything. For these basic entitlements society makes an undertaking that every citizen will enjoy them as a right whenever there is a need for them. In the same line of thought, Turner and Hamilton (1994) make reference to 'a bundle of entitlements' arguing that:

> 'Citizenship is thus defined as a bundle of entitlements and obligations which constitute individuals as fully fledged members of a socio-political community, providing them with access to scarce resources.' (Turner and Hamilton, 1994: 32)

On the same topic Plant (1988) points to the 'basic goods of citizenship', that are part of social citizenship. According to Plant (1988: 9) 'the goods of citizenship have to go beyond civil and political rights and embrace rights to resources, income, health care, education and welfare'.

What we glean from the explanations given for social citizenship and the purpose that this form of citizenship serves are three crucial aspects that are constitutive of full citizenship. The first aspect is that there is a vision of a society that relates to the quality of life that has to be enjoyed

by *all* citizens. This vision is directly linked to a minimum level of enjoyment of socially provided goods and services that is shared by members of a political community, a state or members of a society. To elucidate this point, Richard Titmuss (1974) brought into social policy the notion of a 'good society'. Titmuss's 'good society' is predicated on the prevailing dominant ideologies, values and principles that underpin different societies. These dominant ideologies, values and principles are deployed when providing causes and explanations for poverty and social and economic disadvantage and the policy solutions offered.

The second aspect relates to multiple aspects of social and economic life in which social rights are applied and enjoyed. The social spheres are about the commonly identified areas of need in many societies and include social and economic areas of life such as welfare, social protection measures including maintaining income during sickness, unemployment and old age, health care, the provision of housing, different types of community services, education and others.

The third aspect is that the goods and services that are integral to social citizenship are guaranteed by the state as part of the underlying relationship between the state and citizens. Understandably, the actual goods and services will vary depending on context, time and the dominant social and political values. But, what is central is that this aspect in the explanations and purpose of social citizenship is the guarantee by the state and services to citizens as a right.

For Harrison (1995) social citizenship with its associated social rights has to lead to what he terms 'effective citizenship'. Therefore not only has citizenship to be 'substantive' (Dwyer, 2004), it has to be effective as well. According to Harrison (1995):

> '… effective citizenship certainly means being included in the systems of rights and welfare provisions that are mediated or managed by state agencies, and having one's needs met through mainstream political intermediation.' (Harrison, 1995: 20)

The views and contributions of the authors cited above, provide important signposts as to how the 'citizenship with rights' enshrined in South Africa's Constitution has to be understood and applied. In South Africa, 'the basic social entitlements', 'the bundle of entitlements' and 'the basic goods of citizenship' that are part of 'non-market provision' by the state and society are outlined in the Bill of Rights adopted by the post-apartheid democratic society. For example, Section 27 of the Bill of Rights in the Constitution states that 'everyone has the right to have access to health care services, including reproductive health care, sufficient food and water, and social security, including, if they are unable to support themselves and their dependants, appropriate social assistance'.

The other relevant, indeed paramount, purpose of social citizenship is the attainment of full participation and social inclusion of all citizens. The participation and inclusion is in the social, political and economic processes and institutions of society. Through social rights that entitle citizens to the basic goods of citizenship, the citizen is able to participate and is included. As Dwyer (2004) points out:

> '... simple membership is not enough; participation within society is also a requirement of full citizenship. If certain individuals or groups lack substantive rights to welfare, and they are unable to participate in society in meaningful ways, then the very idea of citizenship, of a shared common status, begins to unravel.' (Dwyer, 2004: 16-7)

In the same vein Dahrendorf (1996) sees citizenship as chiefly characterized by equality of participation, equality before the law, equal opportunity and a common floor of social status and according to him it is a real social role.

Before departing from this discussion of the social dimension of citizenship, a historical development involving South Africa on the occasion of the adoption of the Universal Declaration on Human Rights (UDHR) in 1948 is worth mentioning as it brings forth an aspect of the denial of citizenship to black people in South Africa and the politics of poverty definition. The UDHR includes articles (Article 22-28) on social and economic rights. Three of these articles deserve citing here.

Article 22 states that 'Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality'.

Article 23 states that (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. (2) Everyone, without any discrimination, has the right to equal pay for equal work. (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 25 states that '(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection'.

This is a crucial international framing of social and economic rights that has shaped the global discourse on these rights and is very much present in South Africa's Constitution in the democratic era. Steiner and Alston (2000) write that:

> 'In the drafting of Articles 22-28 of the UDHR, strong support for the inclusion of social and economic rights came from the United States (a delegation led by Eleanor Roosevelt), Egypt, several Latin American countries (particularly Chile) and from (Communist) countries of Eastern Europe. Australia and the United Kingdom opposed their inclusion, as did South Africa which objected … that 'a condition of existence does not constitute a fundamental human right merely because it is eminently desirable for the fullest realization of all human potentialities.' (Steiner and Alston, 2000: 244)

Thus, in 1948, when most of the world was moving towards social justice, basic social entitlements, social and economic rights, South Africa, in relation to the black population, was boldly marching in the opposite direction and entrenched racial discrimination and the denial of political, civil and socio-economic rights. To mark the important issue of social and economic rights in the post-apartheid society in South Africa, the Government of National Unity formed after the 1994 elections in South Africa adopted and ratified the UDHR in 1995.

What we conclude from the above views and perspectives is that one of the main objectives of the 'citizenship with rights' is to ensure participation and inclusion in the social and

economic institutions and processes of a political community and these are essential and indispensable aspects of full citizenship.

2.4 Literature and writings on poverty

Today poverty is studied and analysed using social science methodologies that are scientific and systematic in approach. The studies and analyses employ concepts, definitions and provide explanations of poverty. The social sciences in general and studies of the welfare state, social policy, sociology and economics in particular, have made significant contributions by providing varied perspectives, approaches and methodologies that have shed light in the contemporary understanding of poverty. Different ideological orientations, values and principles that are adopted when analyzing social issues also attend the analyses and conclusions that are made on poverty.

It is important to highlight right from the beginning that in the literature and writings on poverty disagreements and contestations abound. For Alcock (1993) poverty is a contested political concept. For MacGregor (1981) the main debates on poverty are about its definitions. However for the analysis carried out in this thesis two tasks have to be accomplished when the attention is on the literature and writings on poverty. The first is to navigate the monumental work that has been undertaken on the analysis of poverty and highlight the seminal contributions made by various writers and researchers. The second task is to demonstrate that whilst there are many concepts and definitions of poverty in post-apartheid South Africa, there are concepts and definitions that capture and express in a direct way the values and principles that are fundamental in that society. To illustrate this point, the section in the Chapter on relative definitions of poverty is directed at bringing forward the concepts and definitions of poverty

that subscribe to post-apartheid South Africa's vision, values and aspirations as contained in the Constitution.

Poverty in its many manifestations remains a social and economic issue that receives attention at the global, regional and national level. World estimates of people living in poverty are issued annually[1]. Even at the global level the different ideological approaches and perspectives on poverty are evident. The World Bank defines poverty as 'the inability to attain a minimal standard of living measured in terms of basic consumption needs and income required to satisfy them' (World Bank, 1990). The one US dollar a day definition as a measure of poverty that is used for international comparison is attributed to this institution.

At the global level concern with poverty is demonstrated by key developments such as the International Covenant on Economic, Social and Cultural Rights (United Nations, 1966), the Millennium Declaration (United Nations, 2000) and others. Whilst this concern with poverty at the global level through the many declarations, covenants, conventions and regular publications is relevant in many respects, it is also crucial that the long intricate history in the study of poverty is brought to the fore.

The Chapter explores the literature and writings on poverty with the primary aim of searching for definitions of poverty that resonate with social citizenship described above. Attention now falls on the developments that have shaped the contemporary understanding and definition of poverty in the area of social policy.

[1] The World Development Report by the World Bank and the Human Development Index issued by UNDP are examples of this.

An illuminating path to follow, in the consideration of seminal developments and advances in the study and analysis of poverty is to look at the beginnings, the evolution and changes that have taken place in the conceptualisation and definition of poverty in Britain. This consideration of developments in Britain starts with the pioneering study of Charles Booth (1889), goes onto the work of Seebohm Rowntree (1901), contributions made by William Beveridge (1942), Abel-Smith and Peter Townsend's (1965) 'rediscovery of poverty', Townsend's (1979) *Poverty in the United Kingdom: A Survey of Household Resources and Standards of Living*, and right up to the recent paradigmatic Mack and Lansley (1985) study on socially perceived necessities as well as the work on budget standards that define minimum acceptable incomes for an acceptable standard of living by writers such as Veit-Wilson (1998), Bradshaw (1993), Bradshaw et al (2008) Hirsch (2013) and others.

The attractiveness of this 'British' approach in understanding and contextualizing poverty definitions in South Africa is that developments in this area in Britain capture, perfectly, the arguments, debates and improvements in poverty definition and measurement covering the whole spectrum of poverty lines, the contrast between absolute and relative definitions, issues of poverty and social inclusion, democratically determined socially perceived necessities and minimum incomes for a socially acceptable standard of living. Britain has a long tradition of poverty research and study. Peter Townsend (2000) makes the point that 'In Britain, there has been exceptional interest in poverty as a concept and as a problem throughout the history of its rise as an advanced industrial country'. Alcock (1988) refers to the 'arithmetic tradition' in poverty research that has 'a long and well-established history in academic circles and political debate stemming from the seminal studies of Booth (1889) and Rowntree (1901) at the end of the nineteenth century.'

As introduced earlier, definitions of poverty are at the core of academic debates about poverty (MacGregor, 1981). Definitions of poverty are related to what are seen as the root causes of poverty and what can be done about it. In this way definitions are importantly about policy responses and solutions. Definition and measurement are two sides of the same coin. What is measured has to be defined and every measurement of poverty carries an explicit or implicit definition 'of the poor'. "Measurement" and "policy" issues are often inseparable (Ravallion, 1992). Bradshaw et al (1996: 151) makes the important point that 'in poverty research, the measure determines the result'. There is a fundamental issue that is contained in this observation from Bradshaw (1996 et al) about the poverty measure and the results. It means that depending on how poverty is defined, that is the choice of the measure of poverty adopted, a society may arrive at a conclusion that it has reduced or eradicated poverty. Abel-Smith and Townsend's (1965) analysis and the subsequent Townsend's (1979) study in *Poverty in the United Kingdom* provide incontrovertible evidence that illustrate this point.

Consequently assumptions about definitions that are made to arrive at a measurement will determine in a very direct manner the success or failure of policies. Renata (1995), like many writers on this issue, sees poverty as a multidimensional phenomenon defined and measured in multiple ways. The poor do not only lack income but are commonly without food, proper shelter, education, often lack access to basic services such as clean water, sanitation and a multitude of other deprivations.

According to many scholars on poverty Charles Booth invented the concept of 'poverty line' and the idea of 'living above the line' of poverty or 'on the line' (Simey 1960; Macgregor 1981). In the pioneering study that Charles Booth undertook in London in the late 1880s he described the categories of people living in poverty as:

> ‘The divisions indicated here by “poor” and “very poor” are necessarily arbitrary. By the word “poor” I mean to describe those who have a sufficiently regular, though bare income, such as 18s. to 21s. per week for a moderate family, and by “very poor” those who from any cause fall much below this standard.’ (Booth, 1889: 33)

Following in the footsteps of Charles Booth, Seebohm Rowntree went onto conduct three studies of poverty in the city of York in England at different times in 1899, 1936 and 1951. These studies by Rowntree became central and went on to shape the terrain of poverty measurement to this day. When Seebohm Rowntree measured poverty in York he differentiated between primary poverty and secondary poverty. Rowntree (1901) identified:

> ‘Families whose total earnings are insufficient to obtain the minimum necessaries for the *maintenance of merely physical efficiency* (own emphasis). Poverty falling under this head may be described as ‘primary’ poverty. Families whose total earnings would be sufficient for the maintenance of merely physical efficiency were it not that some portion of it is absorbed by other expenditure, either useful or wasteful. Poverty falling under this head may be described as ‘secondary’ poverty.’ (Rowntree, (1901: 86-87)

What is important to draw from the categories that Rowntree created is that in his study, a poverty line depicting primary poverty is made up of food, housing, clothing, light and fuel. This poverty line is for the ‘maintenance of merely physical efficiency’. As will be seen in subsequent Chapters of this thesis this poverty line constructed by Rowntree found acceptance and expression at different times in South African society, albeit for specific political reasons that went beyond a scientific or systematic attempt at understanding poverty. Important to note as well is that this approach by Rowntree was adopted by Edward Batson who pioneered the Poverty Datum Line in Southern Africa in the early 1940s (See Chapter 3). It is this same approach with the provisions for the poverty line that was used to define poverty in South Africa in the apartheid era and is also fully present in studies of poverty in the post-apartheid democratic period.

Again most relevant to the 'politics of poverty definitions in post-apartheid South Africa' is Rowntree's description of the poverty line he used and the items he included in the poverty line. Rowntree (1901) said:

> And let us clearly understand what 'merely physical efficiency' means. A family living on the scale allowed for in this estimate must never spend a penny on railway fare or omnibus. They must never go into the country unless they walk. They must never purchase a halfpenny newspaper or spend a penny to buy a ticket for a popular concert. They must write no letters to absent children, for they cannot afford to pay the postage. They must never contribute anything to their church or chapel, or give any help to a neighbour which costs them money. They cannot save, nor can they join sick club or Trade Union, because they cannot pay the necessary subscriptions. The children must have no pocket money for dolls, marbles or sweets. The father must smoke no tobacco, and must drink no beer. The mother must never buy any pretty clothes for herself or for her children, the character of the family wardrobe as for the family diet being governed by the regulation, 'Nothing must be bought but that which is absolutely necessary for the maintenance of physical health, and what is bought must be of the plainest and most economical description.' Should a child fall ill, it must be attended by the parish doctor; should it die, it must be buried by the parish. Finally, the wage-earner must never be absent from his work for a single day. If any of these conditions are broken, the extra expenditure involved is met, *and can only be met*, by limiting the diet; or, in other words, by sacrificing physical efficiency.' (Rowntree, 1901: 133-134)

This explanation of primary poverty by Rowntree is at the core of absolute minimalist measures of poverty and the quality of life and lifestyle of members of society living on this poverty line. For those living below the poverty line the circumstances are more dire. Townsend (2000) makes the point that Rowntree:

> '… set out to devise a measuring rod, to enable us to access the wage necessary to physical efficiency. He drew a distinction between the principles which should guide the method of fixing minimum wages and those which should determine wages above the minimum, the former being based on the human needs of the worker and the later on the market value of the services rendered.' (Townsend, 2000: 11)

It was the work of Arthur Bowley that reinforced Rowntree's approach to the measurement of primary poverty[2]. In *Livelihood and poverty: a study in the economic conditions of working-class households in Northampton, Warrington, Stanley and Reading* (Bowley, 1915), Bowley

[2] Edward Batson, the pioneer of the Poverty Datum Line (PDL) in Southern Africa was a student of Arthur Bowley (See Chapter 3).

used Rowntree's primary poverty line with some modifications which attempted to present 'a closer relation to actual methods of expenditure' (Bowley, 1915: 80). What is remarkable with the analysis conducted by Bowley is the variable, and not uniform, allowances made for children of different sexes and ages, men and women of working age and for the retired. Here again the minimal provision of the budget allowed in the poverty line is highlighted. Acknowledgment is made to the fact that the budget standards used:

> '… refer only to the minimum expenditure needed to maintain physical health, and make no allowance for those items of expenditure for which the ordinary man or woman will, in practice, postpone the purchase of certain 'necessaries'. They, therefore, share the defect of all such standards in being, to a considerable extent, abstract and arbitrary. This does not, however, destroy their utility. For though the expenditure of income may not conform to them in the case of the vast majority of families, they offer an index of the minimum necessary to maintain physical health, provided that income is laid out with the sole purpose of maintaining it, and therefore enables one to state the *minimum* numbers of families whose income falls below that standard.' (Bowley, 1915: 37).

In the years before the Second World War the approach to the analysis and measurement of poverty that was adopted and applied by Rowntree and Bowley dominated the study of poverty in Britain. Before the Second World War most poverty standards were based on notions of absolute needs, minimum subsistence, basic necessities (Bradshaw, 2000). This was the period when poverty was measured in the most minimalist methods and at the subsistence level. As Townsend (1979) observed:

> 'Nearly all subsequent studies were influenced deeply by this application of the concept of subsistence. With minor adaptations, a stream of area surveys of poverty based on Rowntree's methods was carried out in Britain, especially between the wars.'(Townsend, 1979: 33)

Next into the scene was William Beveridge's Report on *Social Insurance and Allied Services* published in 1942. During the war, 'the Inter-Departmental Committee on Social Insurance and Allied Services were appointed in June 1941, by the Minister without Portfolio, then responsible for the consideration of reconstruction problems' (Beveridge, 1942: 5). This report

became central in shaping government and social policy responses to poverty in the years after the war. As detailed in the report:

> 'The main feature of the Plan for Social Security is a scheme of social insurance against interruption and destruction of earning power and for special expenditure arising at birth, marriage or death. The scheme embodies six fundamental principles: flat rate of subsistence benefit; flat rate of contribution; unification of administration responsibility; adequacy of benefit; comprehensiveness; and classification.' (Beveridge, 1942: 9)

Beveridge's proposals, especially those on a benefits scheme at a subsistence level, made reference to and were predicated on the evidence of surveys of poverty conducted by writers and researchers such as Rowntree and Bowley. In the Report Beveridge affirmed the earlier studies thus:

> '… impartial scientific authorities made social surveys of the conditions of life in a number of principal towns in Britain, including London, Liverpool, Sheffield, Plymouth, Southampton, York and Bristol. They determined the proportions of the people in each town whose means were below the standard assumed to be necessary for subsistence, and they analysed the extent and causes of that deficiency.' (Beveridge, 1942: 7)

In Britain, the idea of a poverty line was incorporated into social policies that followed the Beveridge Report. As Townsend (1954: 133) indicated, in the Beveridge Report we see 'Lord Beveridge, for example, arguing for a subsistence standard similar in kind to the poverty lines used in the surveys before the war'. MacGregor (1981) makes the point that the use of the minimum, subsistence approach to poverty measurement can be traced to the lingering Victorian-era perception that poverty was a result of laziness, indolence and vice on which the idea of 'the undeserving poor' was based.

In the years following the end of the war in Britain the conventional wisdom was that poverty in the population had been almost eradicated. As Lowe (1995, 603) stated 'after the war the Beveridge Report was believed to have provided a blueprint for the eradication of poverty'.

Studies such as Rowntree's *Poverty and the Welfare State* (1951) concluded that numbers of the working class in poverty fell from 31 percent to 3 percent between 1936 and 1951 (Rowntree 1941, 1951; Sen 1983).

It was the publication in 1965 of Abel-Smith and Townsend's *The Poor and the Poorest* that brought into question and cast doubt on what had become established wisdom on poverty in Britain. In this ground shifting work, the authors said that:

> 'Our point is, first, that society has tended to make a rather sweeping interpretation of such evidence as there is about the reduction in poverty and the increase of equality since the war and, secondly, this evidence is a lot weaker than many social scientists have supposed.' (Abel-Smith and Townsend, 1965: 9)

In the view of many writers on poverty Abel-Smith and Townsend's *The Poor and the Poorest* led to the rediscovery of poverty in Britain (Lowe, 1995; Bradshaw, 2000). The use of subsistence poverty lines led to the belief that poverty had been eliminated in Britain (Abel-Smith and Townsend, 1965). This was a time of complacency based on the belief that the welfare state and full employment had eliminated poverty in British society (Bradshaw, 2000). Abel-Smith and Townsend had drawn conclusions that, to the contrary, poverty had increased among the old, children and even among families with a head who was employed (Lowe, 1995).

Abel-Smith and Townsend broke the complacency on assumed achievements of the British Welfare State. This complacency was based in part on concepts and definitions of poverty that were not based on empirical evidence, that is, the actual investigation and knowledge of the types of lives lived by those judged to be below, on, or above the subsistence poverty line. It took Townsend's (1979) study *Poverty in the United Kingdom: A Survey of Household Resources and Standards of Living* to provide rigorous and compelling evidence on the conditions and deprivations that many people in Britain lived under. The significance of

Townsend's survey, particularly its methodology, was the departure from subsistence measures of poverty designed to attain merely physical efficiency to understanding poverty as relative multiple deprivation. The next section discusses Townsend's seminal contribution to the study of poverty and improvements on his methods that have been made by other contributors in this important area of study. The relevance of Townsend's study is the fact that the understanding of poverty advanced in his analysis relates closely to the idea of social citizenship which is explored in this thesis in the South African context.

2.5 Relative definitions of poverty – participation, inclusion and the relevance of social and economic rights

Three approaches in the understanding and definition of poverty that set the scene for relative multidimensional definition of poverty are the focus here. The first is Townsend's *Poverty in the United Kingdom: A Survey of Household Resources and Standards of Living* (1979) study. The second is the Mack and Lansley (1985) *Living in Britain* survey and its subsequent incarnations. The third is the budget standards approach. The importance and the contribution of these studies and approaches is that they mark a shift away from subsistence, physical efficiency definitions of poverty to the consideration of poverty as multidimensional and very much connected to social participation, involvement and inclusion. The notion of a 'citizenship with rights' contained in the South African Constitution resonates with the Townsend, Mack and Lansley and budget standards perspectives and analysis of poverty. The treatment of these approaches is complemented with reference to the understanding and definition of poverty that comes from the ANC, the ruling party in the South African government since 1994.

Townsend's criticism of approaches and definitions of poverty based on subsistence is found in, among others, his *Measuring Poverty* (Townsend, 1954) and predates the *Poverty in the United Kingdom* (1979) survey. As Townsend (1954: 130) stated 'I will discuss briefly the

standards used in measuring poverty in the past, and in the course of this will argue for an entirely different approach'.

Townsends's study published in 1979 was a reconceptualisation of poverty and involved the employment of a different methodology and approach in the understanding and analysis of poverty. A new answer to the question 'who are the poor?' emerged with Townsend's survey. In Townsend's view, contrary to the conclusions of subsistence-based poverty studies, there were many people in Britain who lived their lives in hardship and deprivation and remained excluded from the society's institutions and processes. Two aspects of Townsend's contributions are of value. The first is the definition of poverty in the *Poverty in the United Kingdom* survey in which he stated:

> 'Individuals, families and groups in the population can be said to be in poverty when they lack the resources to obtain the types of diet, participate in the activities and have the living conditions and amenities which are customary, or are at least widely encouraged or approved, in the societies to which they belong. Their resources are so seriously below those commanded by the average individual or family that they are, in effect, excluded from ordinary living patterns, customs and activities.' (Townsend, 1979: 31)

With this definition, poverty measurement moved from a pre-occupation with subsistence and merely physical efficiency to the understanding of the poor as social citizens with social, economic and political roles, responsibilities and needs.

The second aspect is Townsend's conceptual shift in definition from subsistence perspectives which is evident when the 'deprivation standard of poverty' (Townsend, 1979: 248) he pioneered is considered. For Townsend, 'a national style of living has to be defined in operational terms' (Townsend, 1979: 249). In operationalising this national style of living, Townsend went onto include sixty indicators. As the author stated:

> ‘A list of sixty indicators of the ‘style of living’ of the population was built up. This covered diet, clothing, fuel and light, home amenities, housing and housing facilities, the immediate environment of the home, the characteristics, security, general conditions and welfare benefits of work, family support, recreation, education, health and social relations.’ (Townsend, 1979: 249-251)

Looking at the developments on poverty concepts, definitions and its measurement, if Rowntreee has had a lasting influence on subsistence measures of poverty, Townsend has had equal influence when it comes to understanding poverty as ‘relative deprivation’ with the resources required ‘to fulfil membership of society’ (Townsend, 1979) its primary anchor.

Townsend’s concept and definition of poverty found adoption and application in the Mack and Lansley (1985) *Living in Britain* survey. Townsend’s approach, whilst centrally acknowledged as a paradigm shift in poverty studies, was nonetheless criticized as the list of items that comprised his ‘deprivation standard of poverty’ were picked and decided on by himself. This experts’ definition of poverty came under attack as it basically meant that there will be as many indicators of ‘style of living’ as there are experts. The solution lay in conducting a survey of the population to seek opinions on whether items and services are seen as necessary or not. To escape the criticism against Townsend’s study, the *Living in Britain* survey collected the population’s views on ‘food, heating, clothing, consumer durables, entertainment, leisure activities, holidays, and social occasions and activities.’ (Mack and Lansley, 1985: 44).

In the survey, items that were identified by a minimum 50 per cent of the population as essential, were deemed to be necessities (Mack and Lansley, 1985). The authors highlighted the point that:

> ‘In summary, this study tackles the question ‘how poor is too poor?’ by identifying the minimum acceptable way of life for Britain in the 1980s. Those who have no choice but to fall below this minimum level can be said to be ‘in poverty’. This concept is developed in terms of those who have an enforced lack of socially perceived necessities. This means that the ‘necessities’ of life are identified by public opinion and not by, on

> the one hand, the views of experts or, on the other hand, the norms of behaviour per se.' (Mack and Lansley, 1985: 45)

Two further surveys were conducted in Britain. These were the *Breadline Britain in the 1990s* (Gordon and Pantazis, 1997) and the *Poverty and Social Exclusion in Britain: The Millennium Survey* (Pantazis *et al*., 2006). The methodology and approach in these surveys was basically the same as in the *Living in Britain* survey.

Budget standards are one of the recent areas of focus in attempts to define poverty beyond subsistence. As Veit-Wilson (1998) explains:

> 'There are two common versions of the budget approach, one based on the household's whole purchases, the other on only the most important core items, typically food and some other indispensable costs such as housing and utilities (fuel, power and water).' (Veit-Wilson, 1998: 19)

Similar to the South African Constitution, budget standards create a socially acceptable minimum standard of living and specify an income that is required to attain such standard. Explaining different ways in which poverty is measured, on budget standards, Bradshaw *et al*. (2008) provide the explanation that:

> 'Budget standards define minimum acceptable incomes by calculating what is needed to afford an acceptable living standard. In general budget standards are based on costed list of items deemed as essential (baskets of goods and services).'(Bradshaw *et al*., 2008: 1)

This makes budget standards to be transparent as the items and the cost of each item is specified. In this way budget standards can be replicated by other researchers and also allow for inflation adjustment and the inclusion of new items as a society's views change. Further, on budget standards, as Bradshaw (1993: 237) observes, 'if any reader disagrees with the budget that has been drawn up, if they believe there is something included in the budget that does not represent what they understand to be modest-but-adequate or low cost budget, they can take it out'.

In Britain it is the Family Budget Unit, established in 1985 (Bradshaw *et al*., 2008) that is at the forefront of the research and analysis and the determination of the income level that is required. According to Hirsch (2013: 6) ’in 2008 the first Minimum Income Standard (MIS) for Britain produced income standards based on detailed research into what ordinary people thought should go into a minimum household budget’. Budget standards ‘have been widely used internationally’ and ‘many European countries have officially accepted assessments of incomes needed for an adequate standard of living as a guide to social security policy but not a determinant’(Bradshaw *et al*., 2008: 1-2).

Reflecting the international use of the budget standard approach and the Minimum Income Schemes Veit-Wilson (1998) writes:

> ‘At the time of writing in 1997 the UK has no MIS … The countries chosen for study were those in Europe which seemed to have MIS of some kind: Belgium, Finland, France, Germany, The Netherlands, Norway and Sweden. All were members of the EU or associated with it (Norway). Australia, New Zealand and the USA were also visited because they had MIS or were (re-)examining their forms or feasibility.’ (Veit-Wilson, 1998: 4)

In the European Union continuing interest and application of the budget standard, the minimum income schemes and concerns with addressing poverty is further evident, among others, in the work of Frazer and Marlier (2009) in *Minimum Income Schemes Across EU Member States: Synthesis Report*. In this report the authors set out to provide a ‘brief panorama and description of the institutional design of minimum income schemes (MISs)’ and to provide ‘an assessment of MISs with respect to coverage and take-up, adequacy and effectiveness’ and to investigate ‘the link between MISs and the other two pillars of the active inclusion strategy’ (Frazer and Marlier, 2009: 6). As the authors state, the main emphasis of the report ‘is on assessing the key

strengths and weaknesses of MISs across the Union and on their impact in reducing poverty and social exclusion' (Frazer and Marlier, 2009: 6).

Having surveyed these three approaches, and their main concern with inclusion and participation, it is evident that conceptually, relative definitions of poverty are in the same philosophical camp as social and economic rights. The social dimension of citizenship which speaks to 'entitlements to socially provided goods and services' (Dwyer, 2004: 31) is conceptually aligned to definitions of poverty that are based on social, political and economic participation. In this way social and economic rights are the political vehicle that guarantee that citizens 'participate in the activities and have the living conditions and amenities' (Townsend, 1979: 31) that a society subscribes to.

A short detour on the views of the ANC on poverty in the 1990s in the period prior to the adoption of the 1996 Constitution brings both relative definitions of poverty and social and economic rights into focus and illustrates their relevance in the discussion at hand. In the 1990s the ANC understood poverty as the lack of participation, social and economic exclusion and the denial of social and economic rights. This understanding of poverty featured prominently in the policy documents of the ANC. In the Reconstruction and Development Programme document, which was an election manifesto of the ANC with alliance partners representing civil society and the labour movement in South Africa, emphasis is made that:

> 'It is not merely the lack of income which determines poverty. An enormous proportion of very basic needs are presently unmet. In attacking poverty and deprivation, the RDP aims to set South Africa firmly on the road to eliminating hunger, providing land and housing to all our people, providing access to safe water and sanitation for all, ensuring the availability of affordable and sustainable energy sources, eliminating illiteracy, raising the quality of education and training for children and adults, protecting the environment, and improving our health services and making them accessible to all.' (ANC, 1994)

This understanding of poverty runs through and is present in other key policy documents of the ANC. For example in *Ready to Govern* (ANC, 1992), the official government's *White Paper on Reconstruction and Developmen*t (RSA, 1996d) and the annual State of the Nation Addresses given by the Presidents of South Africa and in many other policy sites and statements. These are covered in detail in Chapter 8.

From this brief exploration of poverty definitions we can see that subsistence poverty lines measure 'merely physical efficiency' and are directed at taking care of the barest in food, clothing and shelter at a subsistence level. On the other hand relative definitions are constructed with consideration of social roles, responsibilities and social rights. For South Africa the two approaches in poverty definition carry serious implications in the understanding of the nature and extent of poverty among different groups in society. The 'rediscovery of poverty in Britain' was a milestone in the study and understanding of poverty. The relevance of Townsend's 'reconceptualisation' begs pertinent questions in how poverty is understood and defined in post-1994 democratic South Africa considering the country's history of systematic discrimination and political and economic exclusion.

After having explored the essence of absolute and relative definitions of poverty and the concepts and definitions that are used to capture these two contrasting approaches in the measurement of poverty, the next section gives an account of TH Marshall's theory of citizenship. The section also presents the writings in social policy that are from authors that are in averment with TH Marshall in linking citizenship and poverty.

2.6 Theoretic-analytic framework: TH Marshall's theory of citizenship

In order to locate the approach and analysis undertaken on the relation between citizenship and poverty in post-apartheid South Africa it is the theory and understanding of citizenship provided by TH Marshall that is used as an explanatory framework. TH Marshall's theory of citizenship provides the tool of analysis in understanding issues of citizenship and poverty in the democratic society. The applicability and relevance in the South African context is demonstrated. The purpose is to present the notion of citizenship as contained in the writings of TH Marshall (citizenship with the three elements of civil, political and social rights) as well as citizenship as participation, involvement, and social and economic inclusion. In the earlier section on relative definitions of poverty the two contrasting approaches to poverty definition (absolute definitions which tend to be based on subsistence and the attainment of physical efficiency and relative definitions which emphasise social inclusion, involvement and participation) were fully explored. These contrasting approaches to the understanding and definition of poverty have to be borne in mind as TH Marshall's theory is introduced and explained.

In current debates within social policy, it is the writings of TH Marshall on citizenship that represent the 'dominant paradigm of the sociology of citizenship' (Roche, 1992). Marshall (1950) presented his analysis of citizenship as comprising of three elements, the civil, political and social. This conception of citizenship informs much of contemporary understanding of citizenship. Marshall's views are seen as definitive as evident in the notion of social and economic rights, welfare rights and social rights that speak directly to Marshall's modicum of economic welfare and security. Consequently many writers in this area take Marshall's conception of citizenship as the point of departure.

TH Marshall (1950), in his collection of lectures *Citizenship and Social Class* presented a formulation of citizenship that has shaped the understanding of citizenship and rights in social policy. His original formulation of the concept of citizenship 'remains of continuing significance' (Bulmer and Rees, 1996). What was TH Marshall's formulation of citizenship?

> 'I shall call these three parts or elements, civil, political and social. The *civil element* is composed of the rights necessary for individual freedom – liberty of the person, freedom of speech, thought and faith, the right to own property and to conclude valid contracts, and the right to justice … By the *political element* I mean the right to participate in the exercise of political power, as a member of a body invested with political power or as an elector of the members of such a body … By the *social element* I mean the whole range from the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing in the society.' (Marshall, 1950: 10-11)

Marshall went on to explain social institutions that correspond to each of the three types of rights. In the history of the fight for full citizenship rights and social justice in South Africa we can see the importance of Marshall's three rights articulated above.

It is the social element in Marshall's theory that is pursued in this thesis. Attention is given to the 'right to a modicum of economic welfare and security' and the expectation that a citizen should 'live the life of a civilized being according to the standards prevailing in the society'. The significance of Marshall's contribution beyond the civil and political elements lies in this concern with economic wellbeing and the life of a civilized being. In a very direct way Marshall is referring to multi-dimensional poverty in its many manifestations. The South African Constitution and its provisions has exactly the same objective.

A significant number of writers on citizenship and poverty are in full agreement with Marshall's theory of citizenship and have expanded on it. The relationship between citizenship and poverty is a vexing question that has drawn the attention of many writers in the social

sciences. (Turner, 1990; Turner, 1993; Twine, 1994; Barbalet, 1988; Prior *et al*., 1995; Bulmer and Rees, 1996; Darhendorf, 1996, and others). Pointing to the inextricable link between citizenship and poverty, 'poverty', writes Roche (1992), 'is antithetical to full citizenship'.

Mostly the literature on the relation between citizenship and poverty focuses on citizenship and social rights. Twine (1994) writing in *Citizenship and Social Rights* sees social rights which form part of citizenship, as having an important role in the eradication of poverty. In the exploration of the relation between citizenship and poverty the argument has to be put forward that those living in poverty in democratic societies where non-discrimination, equity, equality, social justice and social rights are founding values, must, by right, enjoy social and economic inclusion, involvement and participation. From this view, the relation between citizenship and poverty becomes an important one in the analysis and the determination of poverty levels through adopted definitions in societies founded on 'citizenship with rights'.

Pivotal in the relation between citizenship and poverty is the understanding of citizenship and what it means, and what the social roles, expectations, responsibilities and duties of a citizen are. The understanding of poverty, that is how poverty is defined and measured and how we separate and draw the line between 'those who are poor' and 'those who are not poor' should be informed by the substantive meaning of citizenship. Prior *et al.* (1995: 8) see social and economic rights in the Marshallian social element sense as 'designed to enable the individual to participate in the general standard of well-being of the community'. Dean (2001: 1) when describing welfare rights sees these rights as ''distributional'' in the sense that they relate to the social redistribution of resources and they are concerned with either to prevent poverty by limiting the extent of social inequality, or to relieve poverty after it has struck.

Dwyer (2004: 79), for instance, is concerned about 'the advantages and shortcomings of citizenship as a means for meeting the needs of people living in poverty'. Lister (1998) for example looks at a number of basic social entitlements protected through a constitutional framework. This constitutional framework, Dwyer (2004: 8) argues, would allow citizens to 'enjoy a number of substantive rights to welfare, that is, legally enforceable entitlements to particular benefits and services'.

Some writers have improved, or attempted to improve, on TH Marshall (for example Turner, 1990; Twine, 1994). Others have taken issue with some aspects of Marshall's work. Mann (1987) sees citizenship as a ruling class strategy and criticizes Marshall's evolutionism and asserts that 'emphasis should be placed upon the strategies and cohesion of ruling classes and *ancien regimes* rather than upon those of the rising bourgeois and proletarian classes'. Runciman (1996) dismisses Marshall's observation that social rights reduce inequality and claims that they actually work in the opposite way. Twine (1994) whilst in general agreement with Marshall feels that Marshall's understanding of citizenship may be criticized for 'its failure to specify the level, form and content of social rights'.

Of all writers on citizenship, Marshall's theory has the strongest resonance in the current South African context. A compelling reason for using Marshall's theory of citizenship as the main point of departure in the theoretic-analytic framework is the Constitution adopted after 1994. The South African Constitution, enacted in 1996, reads, in spirit and essence, as an extension of Marshall's formulation of citizenship. Civil, political and social rights are spelt out and form part of the Bill of Rights in the South African Constitution.

2.7 Concluding remarks

This Chapter looked at broad theories on citizenship with a focus on social citizenship. This was followed by a review of the writings on poverty with the British tradition informing the origins, developments and seminal contributions on the understanding and definition of poverty. In the review of approaches to the conceptualization of poverty what was established is that whilst the one approach is founded on the attainment of merely physical efficiency, the other approach speaks to the notion of citizens as social, economic, political and cultural beings. The conceptual convergence between relative definitions of poverty and social and economic rights was highlighted. TH Marshall's theory of citizenship with its three elements of civil, political and social rights was presented and shown to be conceptually close to the South African Constitution in fundamental ways. Resonating with Marshall's social element are relative definitions of poverty that speak to the social and economic rights in the Bill of Rights in democratic South Africa.

Chapter 3 The denial of inclusive citizenship in South Africa 1910 – 1994

3.1 Introduction

South Africa's post-apartheid Constitution represents the highest watermark and political achievement in the long struggle against colonialist, segregationist and apartheid social, political and economic systems founded on racial discrimination. As will be demonstrated in this chapter, these political systems were marked by deliberate state action that resulted in extensive poverty for the black majority. There are many accounts and writings of South Africa's history that point to deep levels of poverty among blacks in South Africa. For example, MacMillan (1930) in *Complex South Africa*, the Union Government's *Native Economic Commission* (1930-2), Burger (1943) in *The Black Man's Burden*, Hepple (1959) in *Poverty Wages: The shame of low wages in South Africa*, Bundy (1988) in *The Rise and Fall of the South African Peasantry*, Wilson and Ramphele (1989) in *Uprooting Poverty: The South African Challenge, Report for the Second Carnegie Inquiry into Poverty and Development in Southern Africa*, the Government of South Africa (RSA, 1998a) in *Poverty and Inequality Report*, and recently, Terreblanche (2002) in *A History of Inequality in South Africa: 1652-2002*.

Nelson Mandela, the first President of democratic South Africa, on the occasion of his inauguration, expressing the views of the ANC, and the outcome of the struggle for full citizenship, asserted that:

> 'We have fought for a democratic constitution since the 1880s. Ours has been a quest for a constitution freely adopted by the people of South Africa, reflecting their wishes and their aspirations … We have, at last, achieved our political emancipation. We

> pledge ourselves to liberate all our people from the continuing bondage of poverty, deprivation, suffering, gender and other discrimination.'(Mandela, 1994)

It is South Africa's history of conflict, conquest, racial discrimination and domination, systematic exploitation, deliberate impoverishment, the denial of rights, and the specifically negative social outcomes for the black population that saw the first President of democratic South Africa, linking political emancipation to liberating the majority of South Africa's citizens from poverty, deprivation and discrimination.

South Africa's post-apartheid Constitution and its provisions are to be understood in the context of the persistent assault and cumulative incursion on the rights of the black population. The aim of this chapter is therefore to demonstrate critical developments in the country's history that capture this sustained denial of full citizenship to Africans, Coloureds and Indians. Furthermore, this denial of citizenship provides the political context for a very particular racialised and minimalist approach to poverty definition in the different periods of racial discrimination (see Chapters 4 and 5). Finally, the developments described help explain the extent and incidence of poverty that has been the focus since the beginning of democracy and which, in large measure, remains a challenge today nearly two decades on.

In analyzing the nature and meaning of post-apartheid citizenship, it is desirable that we enquire as to the laws, policies and measures implemented at different periods in the history of the country with the express purpose of excluding blacks from full citizenship rights. South African historiography, covering the colonial, segregation and apartheid periods and projecting analysis on the unequal political and economic treatment of different race groups, is well established

and extensive. This history has been written and analysed from many perspectives, numerous theoretical orientations and covers a wide range of topics. The range of topics cover slavery (Edwards, 1942; Worden, 1996), land dispossession (Letsoalo, 1987; Cope, 1995), race-based discriminatory labour relations (Duncan, 1995), the migrant labour system (Wilson, 1972; Crush, 1991), Afrikaner nationalism (Giliomee, 2003; O'Meara, 1983), the rise of African nationalism (Walshe, 1987; Lodge, 1983), popular resistance (Muthien, 1994; Roux, 1966), the African peasantry (Bundy, 1988; Mbeki, 1964), racial capitalism (Wolpe, 1972; Johnstone, 1976; Lipton, 1986) and others. Generally, a reading of the history of the various periods in South Africa informs us about the *why* and the *how* racial discrimination and economic exploitation was institutionalized for the benefit of the white settler population Wolpe (1972), Johnstone (1976), Dubow (1989), Posel (1991), Duncan (1995), Terreblanche (2002) and many others. However, there are few attempts, outside of a purely legalistic perspective, that tell us in any historical and systematic fashion the sustained denial of *citizenship* and *rights* to Africans, Coloureds and Indians.

This chapter, drawing from the rich corpus of South African historiography, looks at the main developments that entrenched the denial of citizenship to blacks in South Africa during the periods of segregation and apartheid. This will be undertaken from a 'citizenship with rights' perspective. The concern is with the laws, policies and measures taken by successive governments from the time of formation of the Union of South Africa in 1910. The Union of South Africa brought together under a single government and legislative authority the colonies of the Cape and Natal and the republics of the Transvaal and the Free State. This period, as historical evidence shows, saw the beginning of a concerted Union-wide thrust at the erosion, denial and exclusion of blacks from full citizenship. The developments considered here are those that capture the continued and cumulative denial to blacks of the rights associated with

full citizenship. In this context, full citizenship refers to not only political citizenship and the rights of enfranchisement that flow from it, but also civil and social citizenship in the Marshallian sense discussed in the previous Chapter.

In this Chapter, the focus is on the central statutory and policy landmarks and developments directed at the denial of citizenship and the political, civil and social and economic rights associated with it. Five themes are selected to demonstrate the historical denial of rights in the segregation and apartheid periods. These themes are key in two senses. First they are the most significant legislative enactments that specifically withdrew or curtailed aspects of political, civil and social citizenship for the black population. Second the themes chosen can be linked directly to the material deprivation and impoverishment of the black population. Of course, this denial of citizenship did not go unchallenged by the black majority and throughout the period in question the liberation movements, the ANC in particular, were calling for the establishment of full undifferentiated citizenship coupled with political, civil and social rights (see Chapter 6).

As mentioned, writings on the social, political, economic and cultural aspects of South Africa's history are extensive and the decision on what to include to demonstrate the denial of and exclusion from rights is inevitably a difficult one to make. Underpinning all aspects of exclusion from full citizenship is the denial of political rights. In the absence of full enfranchisement the capacity to guarantee even limited civil, social or economic rights is not possible. In consequence, we begin by describing briefly the continued lack of enfranchisement of the black population during the entire period and the withdrawal of even the limited enfranchisement enjoyed by a minority of black groups which took place in the apartheid era.

In order to demonstrate the denial of civil and social citizenship during segregation and apartheid, the following policy developments are presented and discussed as themes; (i) land dispossession, (ii) the denial of industrial citizenship as reflected in labour laws and the suppression of black worker organizations, (iii) passes, influx control and their ultimate enforcement under the homeland system which was an attempt to create a politically exclusive white South Africa, (iv) Bantu education and the confinement of blacks to the lower ranks of the economic hierarchy, and lastly, (v) the creation of a racially discriminatory welfare system which focused its resources and support on the white population. It will become apparent that each of the themes incorporates a denial of both civil and socio-economic rights. These themes are presented after the discussion of Black (dis) enfranchisement.

Analysing and making conclusions about South African society during the period of segregation and apartheid from a citizenship and rights perspective presents its own challenge which must be dealt with and clarified. First, Africans in the different colonies (Natal Colony, Cape Colony, Orange River Colony and the Transvaal Republic), Coloureds predominantly in the Cape Colony, and Indians in the Natal Colony and the Transvaal Republic, were not treated uniformly and different laws and regulations applied to each population group during segregation and apartheid. At the formation of the Union of South Africa, Africans and Coloureds in the Cape Province continued to hold a limited qualified franchise which was denied to all people who were not white in the rest of the Union. Laws and policies on pass control, the homeland system, trading in urban areas, the allocation of resources and provision of services such as social welfare, education and housing were differentiated according to whether a person was white, African, Coloured or Indian. Africans experienced tighter controls

on residence and movement, and the least allocation of state resources towards their welfare and development. At times disagreements and open conflict ensued among leaders and between the different black population groups. For example the tension between Africans and Indians is illustrated in Davenport (1991) on the Durban riots of 1949:

> '… when 142 people were killed and over a thousand injured, after an African youth had struck an Indian shop assistant, whose employer in turn beat and inflicted accidental injury on the youth near a crowded bus terminus at the end of the working day. The riots exposed serious tension, which escalated into loosely organised attacks on Indian residential property over a wide area on the following day.' (Davenport, 1991: 333)

There were attempts by the apartheid state to 'repatriate or remove elsewhere' as many Indian people as possible (Neame, 1962: 76). In 1963, however, the same apartheid state 'gave recognition to Indian South Africans as citizens of the Republic' (Davenport, 1991:362). When Malan came into office as the first Premier under the apartheid system, one of his first moves was the attempt at abolishing the Cape Coloured vote. He encountered serious obstacles leading to what came to be known as 'the constitutional crisis' (Neame, 1962: 109, Davenport, 1991: 111). On the employment front, after the adoption of the 'civilized labour policy' from 1924 (Duncan, 1995) 'Coloured people also began to find that, like other non-white groups, they were being eased out of jobs on the railways and in other public and private concerns, as a result of governmental pressure, to make way for unemployed whites' (Davenport, 1991: 270). In Beinart's (2001: 149) analysis, Coloured people 'were amongst the primary victims of the early apartheid years'. These considerations, as valid as they are, do not depart from the central principle that Africans, Coloureds and Indians did not possess full citizenship rights which were taken as natural and enjoyed by all whites in South Africa, bar those who did not meet a franchise qualification where this was still enforced.

Second, to speak of struggles for full citizenship by blacks against whites only, runs the risk of relegating to insignificance the conflict, wars and disagreements between Briton and Afrikaner, between white worker and white industrialists. The Anglo-Boer War of 1899-1902 between the British and Afrikaners, according to Pakenham (2001: xv) 'was the costliest, longest, and bloodiest war since 1815 – and one of the most humiliating in British history'. This war 'was fought to determine which white authority held real power in South Africa' (Davenport, 1991: 198). As Beinart (2001:75) explains 'conflicts between essentially English speaking social groupings, the mine-owners and white workers, became a critical nexus of early twentieth century politics'. The Rand Rebellion of 1922 by white mine workers, is one of the examples showing division and conflict within the white population in South Africa.

Third, whilst this Chapter restricts its focus to the periods of segregation and apartheid, it is an established fact that discriminatory policies and practices predate the Union of South Africa and had their antecedents in practices in the Boer Republic of the Transvaal and Orange River Colony and the Natal Colony. As Davenport (1991; 102-3) remarked, referring to the Natal Colony where Theophilus Shepstone was seen 'as the master-mind behind the policy of segregation, which was subsequently developed into the distinctive governing principle in the native policies first of Natal and later of the Union'.

In exploring the denial of citizenship in South Africa, it has to be borne in mind that successive exclusively white parliaments had at their disposal the state apparatus with the means of violence to be deployed when challenges were presented by those who fought the discriminatory systems. The security establishment with its army and police, the laws and the courts to entrench and maintain white supremacy and domination were ever present.

3.2 Black (dis) enfranchisement

South Africa entered the twentieth century with a war between two contending white powers, the British and the Afrikaners. Issues pertaining to the political and economic relations between the two white groups, industrialists and workers, and the control and ownership of the wealth arising from the mineral revolution, and the critical and all-important matter of labour from the conquered local African populations needed resolution. This was acted out within a segregationist ideological framework which had difference in race as its core element and organizing principle. Race, not for the first time in the history of the colonized region, became the primary factor in the consideration of political rights and economic inclusion. Those who were shaping the South African social, political and economic landscape borrowed from what was then conventional and established wisdom and practice on race and difference between whites and blacks.

Dubow (1989: 29) traces the origins of segregation to 'evolutionists thought, exemplified by Darwinian theory of natural selection [which] came to be applied to the human situation, and to groups rather than individuals'. Racial science found itself a further prop in eugenics which in Britain 'was primarily addressed to the question of social class' and in conquered imperial territories 'its language and applications were readily transferred to the colonial domain, where it came to be addressed to questions of race' (Dubow, 1989: 30). In South Africa 'race became an increasingly important category of social thought and races were ranked in a supposed hierarchy of civilization' (Beinart, 2001: 71). Prejudicial interpretations of the scriptures of the Christian religion and culturally biased scientific investigations informed political attitudes. As the Institute for Christian National Education argued at the time, 'to give blacks a status equal to that of whites is contrary to the law of God. It is opposed to the natural difference of race

and religion' (SADET, 2004: 7). Eminent colonialists such as Lord Milner 'placed Blacks low on the Great Chain of Being' (Davenport, 1991: 207). General Smuts, whilst imploring the Imperial Government for a 'wise and far-sighted native policy' went on to describe the African race collectively as a group that:

> '… has remained a child-like type, with a child psychology and outlook … Perhaps as a direct result of this temperament the African is the only happy human I have come across. No other race is easily satisfied, so good tempered, so care-free … The African easily forgets past troubles, and does not anticipate future troubles … There is no inward incentive to improvement, there is no persistent effort in construction, and there is complete absorption in the present, its joys and sorrows. Wine, women and song in their African form remain the great consolation of life.' (Smuts, 1930: 75)[3]

These views, expressed by a 'world statesman[4]' of General Smuts standing, were not unique or accidental as the writings of other colonialist, segregationist and apartheid leaders adequately indicate. These were the prevailing race attitudes whose expression became more and more pronounced in the political, legal and economic order of segregationist and later apartheid South Africa.

The bitterly fought Anglo-Boer War between Briton and Afrikaner raged on from the year 1899 to 1902. On 31 May 1902, the Peace Treaty of Vereeniging was signed to end hostilities (Union Government, 1902). This treaty was unambiguous on the matter of political citizenship for Natives. Article 8 of the treaty stated that 'the question of granting the franchise to Natives will not be decided until the introduction of Self-Government'. Self-Government came about with

[3] This was a Rhodes Memorial Lecture delivered at the Sheldonian Theatre at Oxford on 9 November 1929. According to Duncan (1995: 15) Smuts 'perspective on 'native' policy was more complex. Fundamentally, he believed that Africans could not and should not be drawn into the same political and economic structures as whites'.

[4] General Smuts was a key mover in the League of Nations and was appointed by Winston Churchill to the British War Cabinet (Davenport, 1991)

the founding of the Union of South Africa in 1910 through the Union of South Africa Act, 1909, passed by the Imperial Parliament and assented to by the King of England. The 'native question' (as the question of how to politically and economically integrate African people into the white world came to be known) preoccupied Lord Milner and its urgency led to the appointment of the South African Native Affairs Commission (SANAC) in 1903. Lord Milner was the British Government's High Commissioner in South Africa. The aim of the Commission was 'to achieve uniformity in native policy' (Davenport, 1991: 207) at the formation of the Union of South Africa. It is from the work of this commission that Dubow (1989: 5) traces 'the first official exposition of segregation'. The commission 'formalised the idea of segregation in a new way' as it 'introduced new rigidities into South African thinking about race relations' and this 'had an immense influence on later political debate' (Davenport, 1991: 207). The commission's report 'outlined a theory of territorial separation whereby Africans were to be accorded land in spatially demarcated reserves' (Dubow, 1989: 5).

The entrenchment of white supremacy is evident in the Union of South Africa Act of 1909. Whilst Article 35(i) of the Act retained the non-racial qualified franchise of the Cape Colony, in the rest of the provinces of the newly formed Union, the election of members of the House of Assembly and Senate was restricted to 'European male adults of twenty one years or upwards'. The adoption of the Act of Union and the formation of the Union in 1910 was preceded by a consultative national convention. At this national convention 'there were no Africans, Coloured People or Asians present' and 'the Convention refused to allow the election of non-white people to Parliament (Davenport, 1991: 222-4). Successive governments under Milner, Smuts, Hertzog remained true to the race-based ideology of segregation. The laws enacted, and recommendations adopted from state appointed commissions and policies

implemented during this period are illustrative of the decided direction state action against the rights of black peoples in South Africa was taking.

On the political front, the 1913 Land Act, the Natives (Urban Areas) Act of 1923, General Hertzog's Representation of Natives and the Native Trust Land Act of 1936, the Native Laws Amendment Act of 1937, and other laws, promulgations and policies became the basis on which a racially differentiated social and political status functioned. On the industrial front, 'in the Union before 1948, the state denied workers basic rights and prescribed heavy penalties for breaking exploitative contracts' (Duncan, 1995: 4). Laws such as the Native Labour Regulation Act of 1911, the Mines and Works Act of 1911, the Industrial Conciliation Act of 1924, the Wage Act of 1925 and the 1926 Industrial Colour Bar Act, are some of the examples directed at denying black workers, particularly Africans, the right to earn decent wages and represent themselves in industries.

These laws were passed in a climate of state appointed commissions which provided further grounding and reasons for a race-based social construction. Starting with the South African Native Affairs Commission, a reading of the reports of the Transvaal Indigency Commission, the Stallard Commission and the Carnegie Commission into Poverty amongst Whites all show the highly selective approach that segregation governments had on social problems affecting all sections of South African society. As Dubow (1989: 9) points out, 'to farmers segregation meant a ready supply and even distribution of cheap labour, capitalists were reassured that the system of migrant labour on which they had come to depend would remain undisturbed, and white workers hoped that segregation would protect them from competition in the job market'.

The coming into power of the National Party (NP) in 1948 saw unprecedented and more stringent attempts at total control over nearly every facet of Black lives. The NP 'built its policy on the foundations of the segregationist legacy laid by Rhodes and Milner, Kruger and Shepstone, Hertzog and Smuts' (Beinart, 2001: 143; Posel, 1991: 1). As Dubow (1989: 177) observed 'there are clear ideological links between segregation and apartheid'. Where segregation had left gaps in its denial of citizenship and the erosion of the rights of Blacks, the NP moved quickly towards the implementation of a racially repressive system that impinged heavily on the rights of Africans, Coloureds and Indians.

This brief account of the ideology of segregation and the political disenfranchisement flowing from it sets the context within which land dispossession, the denial of industrial citizenship, pass control and the homeland system, Bantu education and the discriminatory welfare system, were created and effected.

3.3 Land Dispossession

The social and political history of South Africa is, primarily, the history of black-white relations embedded with racial conflict. In this history, the 1913 Native Lands Act stands out as the embodiment and highest epitome of a deliberate policy aimed at dispossessing a conquered people, the denial of their rights, and the creation of mass poverty among Africans in particular (Bundy, 1988; Wilson and Ramphela, 1989; SADET, 2004). Bundy (1988: 221), referring to the Reserves which were created after the 1913 Act, points to a 'vast and depressing

body of evidence as to the nature and extent of underdevelopment in the Reserves in the forty years that followed the 1913 Land Act'.

Land dispossession in South Africa formed an essential, if not the defining character of colonialism, segregation and apartheid. During apartheid, the extension of land dispossession was manifest in forced removals as part of the drive towards an exclusively white Republic of South Africa. The 7 per cent of the land reserved for Native occupation, subsequently increased to 14 per cent in 1936 through the Native Trust and Land Act was, in later years, to form 'the basis of the homelands' (Worden, 1994: 49-50). The 1913 Land Act and the 1936 Native Trust and Land Act were 'a degree of land alienation unrivalled in any sub-Saharan African context' Beinart (2001: 10).

When considering the injustice of the 1913 Land Act, it is not only the extent and depth of land dispossession that is the primary issue. Rather, it is also the devastating social outcomes of this segregationist measure which came to be marked by:

> 'Infant mortality, malnutrition, diseases and debility; of social dislocation expressed in divorce, illegitimacy, prostitution and crime, of the erosion, desiccation and falling fertility of the soil; and of the ubiquity of indebtedness and material insufficiency of the meanest kind.' (Bundy, 1988: 221)

The Union Government's 1913 Land Act prevented Africans from buying land outside of the demarcated reserves.[5] The Act went further in that it 'disallowed residence by African tenants on farms unless they provided a minimum of ninety days labour annually to the landowner'

[5] UG, The Natives Land Act No. 27 of 1913. This Act was passed on 19 June 1913.

(Beinart, 2001: 56). In its reach and outcomes, the 1913 Land Act subordinated 'the interests of black farming to the demands of a new racial ideology called 'segregation' (Davenport 1991: 165). Writing after the promulgation of the 1913 Land Act, and witnessing its initial social consequences, Sol Plaatje (1916) in *Native Life in South Africa* made a:

> 'Harrowing description of the broader fate of sharecroppers who, given no option but to become labour tenants or trek, found themselves in thousands along the roads, their cattle dying. The African was becoming a 'pariah in the land of his birth' with nowhere to bury his dead.' (Beinart, 2001: 57)

Following on from the South African Native Affairs Commission, the Land Act was 'the first legislative enactment embodying the principle of territorial segregation and the separation of land rights between Natives and non-Natives (Neame, 1962: 40). As part of the segregationist political ideology, the 1913 Land Act was devised to resolve several problems facing the Union Government which had to do with the mineral wealth from the land, the labour supply to mines and farms and competition to white farmers from African peasants engaged in agriculture. Through land dispossession that came with the enactment of the 1913 Land Act, blacks were forced to work in the mines and to provide labour in the farms as this became the only way to sustain themselves. This Act also meant that the rising African peasantry was suppressed (Bundy, 1988). The fact that 'not enough Africans were prepared to become wage labourers in the mines and on farms at the wages offered' (Terreblanche, 2002: 260) saw the Land Act as a tool for the forced proletarianisation of the African population. As an outcome of this law, the local African population found themselves 'manifestly unable to support themselves from agriculture and dependent for survival upon wages earned in 'white' industrial areas or upon 'white' farms (Bundy, 1988: 1). The African reserves 'were constituted in such a way that those who lived there would be compelled by pangs of hunger to sell their labour where it was needed in the 'white economy' that depended totally on this constant source of cheap labour' (SADET,

2004: 8). In the view of Terreblanche (2002: 260-1) the Land Act 'was truly the rock on which the ultra-exploitative system of racial capitalism was built and maintained until the 1970s'.

Through forced removals, land dispossession continued during the apartheid period. Initially the central piece of legislation was the Group Areas Act of 1950.[6] During the second phase of apartheid, when the 'ethnic homelands' policy was implemented, millions of mainly Africans were relocated and resettled under the forced removals policy. Posel (1991) cites the growth in homeland population and a decline in the number of Africans in urban areas between 1960 and 1970. 'The reduction in the size of the urban African population was largely the product of the BAD's (Bantu Affairs Department) forced removals policy' (Posel, 1991: 252-3). The torment, social dislocation and strain on families arising from this apartheid era development was captured in Cosmas Desmond's (1971) *Discarded People: An Account of African Resettlement*. Later a detailed account of this apartheid strategy appeared in the Surplus People Project in 1983 citing a figure of 3,500,000 people moved since forced removals were effected.

Wilson and Ramphele (1989: 217-225) identify 'five categories of removals'. Those who were moved to effect the 'racially segregated living areas in the cities, towns, and even villages' as espoused in the 1950 Group Areas Act. The forced removal of people from town to the rural areas done through the myriad of pass controls. Relocation from one rural area to another to allow for whatever the state was planning for the area. The fourth category is those removed under the 'betterment' scheme ostensibly 'to improve farming in the rural reserves'. Last, were

[6] UG, The Group Areas Act No 41 of 1950

those ‘caught between agricultural mechanization on the one hand, and the state’s policy of preventing all black urbanization on the other’.

3.4 The denial of industrial citizenship: Labour laws and the suppression of black worker organisations

During segregation and apartheid, the mines, farms and factories were another terrain in which black people’s rights were undermined in South Africa. The denial of citizenship in the social and political sphere was purposefully extended to South Africa’s industries. The denial of industrial citizenship operated at two levels. On the one hand, laws entrenching a discriminatory labour relations regime were passed. Examples of such laws are the 1911 Mines and Works Act and its amendment in 1926, the Industrial Conciliation Act of 1924 and the Wage Act of 1925. These laws denied black workers the right to trade union representation which was fully enjoyed by white workers. For black workers the state established paternalistic state departments through which grievances of black workers over wages and working conditions were to be channeled. On the other hand, the state took measures aimed at suppressing black worker organizations and any political solidarity emerging between these and other organizations (Duncan, 1995). The segregation era Industrial Conciliation Act and the apartheid era Suppression of Communism Act are some of the laws intended to achieve this. These two prongs were part of segregation and apartheid systems and at different times and in various forms catered for the interests of farmers, mine owners, factory owners and white workers. The discriminatory laws, the migrant labour system, the compound, repressive laws and control in residential areas constituted what in South Africa has been termed a ‘dual labour relations system’ by labour historians and analysts (Duncan, 1995; Johnstone, 1976; Lipton, 1986).

From the formation of the Union of South Africa, discriminatory legislation intended to remove and exclude blacks from competing with white workers for jobs became pervasive. This culminated in the adoption of the 'civilised labour policy' in 1924 (Duncan, 1995) as part of segregation. Writers such as Wolpe (1972) in *Capitalism and Cheap Labour Power: From Segregation to Apartheid*, Wilson (1972) in *Migrant Labour* and Johnstone (1976) in *Class, Race and Gold: A study of class relations and racial discrimination in South African Gold Mining Industry*, present in their analysis the exploitation and repressive laws that shaped labour relations in South Africa. Under the segregation 'ideological umbrella' (Dubow, 1989) the state was to 'maintain the migrant labour system, keep wages low and prevent unionization' and 'this remained state policy right through the 1946 [African mine workers] strike and beyond' (Duncan, 1995: 19).

A year after the formation of the Union of South Africa, the 1911 Mines and works Act and the Native Labour Regulation Act were passed. Regulation 285 of the 1911 Mines and Works Act stipulated that certain jobs be reserved for those with 'certificates of competency' (UG, Mines and Works Act of 1911). This legalized the job 'colour bar' and reserved these competency jobs for white workers (Duncan, 1995: 37, Terreblanche, 2002: 269). The 1911 Native Labour Regulation Act 'was passed to help ensure an adequate supply of migrant labour for the gold mines and to centralize state control over African workers in industrial areas' (Duncan, 1995: 44) and also 'extended the criminal sanction against contract breaking contained in masters and servants acts to African mineworkers, and prevented them from striking' (Terreblanche, 2002: 269). It was the Industrial Conciliation Act of 1924 that became the foundation for a dualistic labour relations system in South Africa. Through its subsequent

amendments, and the creation of a different, separate legal framework for dealing with African workers, the discriminatory provisions of the Industrial Conciliation Act only ended with its repeal, five and a half decades later, by the Industrial Conciliation Act of 1979.

The 1924 Industrial Conciliation Act did not provide for or allow 'consultation with, or representation of, the mass of unskilled Africans, who by the mid-1920s, already formed the majority in secondary industry' (Duncan, 1995: 184). The Act excluded 'pass-bearing' Africans from its definition of 'employee'. According to Maree and Budlender (1987: 117) 'All African men and, subsequently, women as well were excluded from the definition of 'employee' in the Industrial Conciliation Act of 1924'. This prevented them from belonging to registered trade unions and participating in industrial councils. The 1930 and 1937 amendments of the Industrial Conciliation Act did not depart from the original aim of exclusion and did not provide any significant relief to African workers belonging to unregistered and unrecognized unions. Indicative of the prevailing segregationist ideology, the Factories, Machinery and Building Work Act of 1941 instituted, in the workplace, the principle and practice of 'segregated rest rooms, eating areas and so on for the different races' (Duncan, 1995: 56).

As mentioned, discriminatory legislation was twinned with the suppression of black worker organizations as black trade unions remained unrecognized and outside of the formal industrial council system. Under segregation, 'official ideology held that black workers were not sufficiently civilized to run trade unions for themselves' (Duncan, 1995: 182). General Smuts harboured this fear of communist control of black trade unions. As cited by Marks (2005: 269), according to Smuts there was evidence that 'our Natives' were 'getting infected with the virus of change and unrest, and have moreover fallen into the hands of our communists'. The non-

recognition of black trade unions did not, on its own, prevent black workers from engaging in strike action and generally challenging the discriminatory and repressive labour relations establishment. In 1920 black mine workers went out on strike (Beinart, 2001: 84). Worker consciousness was emerging and growing as reflected in the growth of the Industrial and Commercial Workers Union (ICU) which was 'the first significant African labour organisation' (SADET, 2004: 26). Membership of trade unions such as the Council for Non–European Trade Unions and the African Mineworkers' Union grew in spite of the laws and the response to organised black labour which was 'particularly draconian' (Marks, 2005: 276).

As Duncan (1995: 193) points out. 'African workers proved more and more willing to participate in strikes, regardless of their level of organization in trade unions'. Rising worker militancy was evident in the 1940s. During the Second World War, the state promulgated War Measure 1425 of 1945 'which sought to contain union resistance by prohibiting gatherings of more than twenty people on mine property' (Davenport, 1991: 210). This came at a time when mineworkers had pressing grievances and were demanding better wages and better living conditions (Davenport, 1991: 210). Prior to the 1946 strike, 'intensive organization of mine workers into unregistered trade unions had taken place' (Matthews, 1981: 145). On 4 August, over 70,000 African miners went out on strike (Beinart, 2001: 131; Matthews, 1981: 145; Davenport, 1991: 210). 'It was the largest and longest strike experienced in this key industry' (Beinart, 2001: 131). The state intervened with force to end the strike.

Under apartheid, the denial of black worker rights through the non-recognition and suppression of black trade unions and allied organizations took a more sinister turn. As Duncan (1995: 204) remarks 'there was no possibility that the new Minister of Labour, Ben Schoeman, would

countenance any recognition of African Trade Unions'. The institution of the Industrial Legislation Commission (Botha Commission) in 1948, the very year the NP won victory, was an indication of the seriousness with which the apartheid state intended to tackle black trade unions and black workers' rights. The segregation-era concern and fear of black trade unions falling into the hands and control of communists did not abate. The Unlawful Organisations Bill, which later became the Suppression of Communism Act of 1950 attempted to create a docile and subservient black working class. This point is raised by Beinart (2001):

> 'The government greatly impeded radical worker organisation through the Suppression of Communism Act (1950). Separate procedures were formally set up for disputes involving Africans, and strikes by African workers were banned.' (Beinart 2001: 155)

The Botha Commission had, among other things, recommended that African trade unions be granted recognition, albeit under separate legislation. The state viewed the matter differently and as plainly put by the Minister of Labour of the day, 'whatever form of control is introduced you will not be able to prevent them being used as a political weapon' (Horner, 1987: 125).

Terreblanche (2002: 335-6) divides the NP's policies on labour discrimination 'into four phases in the four decades from 1950 to 1990'. The 1950s saw the legal framework for grand apartheid and more comprehensive job reservation created. Beinart (2001: 155) expresses the same view as 'tighter job reservation' for whites was a feature of the early apartheid years'. In the 1960s the implementation of the policy of labour discrimination, encountered stiff opposition as employers complained vociferously about the 'shortage' of skilled workers. The advent of the 1970s, Terreblanche continues, saw the 'government backtrack on many policies in an attempt to break the grip of stagflation and this culminated in the reforms following the Wiehahn Commission of 1979. The unfolding discriminatory labour relations system under apartheid

was more intricate than the four decade-by-decade phases. Labour legislation against black workers during the apartheid era was, in the first instance, dictated by the broader socio-political ideological framework cogently presented by Posel (1991). The Wiehahn Report of 1979 came after the Students Uprising of 1976, a period during which black consciousness as a socio-political counter ideology against apartheid took root in the political perspective of black urban youth in particular, urban black communities and workers. There were a number of Black Consciousness aligned trade unions starting from the early 1970s (Maree, 1987). The Black Allied Workers Union and the Council of Unions of South Africa are examples.

The two critical pieces of discriminatory labour legislation in the first decade of NP apartheid rule were the Native (later Bantu) Labour Settlement of Disputes Act of 1953 and the amendment of the Industrial Conciliation Act in 1956. The former redefined 'employee' from the original 1924 Act 'to exclude *all* African workers, not only pass bearing natives' (Horner, 1987: 126) This Act went on to provide for works committees in the work place, regional Native Labour Committees and Native Labour Officers. War Measure 145 of January 1942 which 'was not withdrawn after the war' (Dubow, 1989: 276) and it was 'regularly renewed until permanently embodied in the Native Labour Settlement of Disputes Act of 1953 (Davenport, 1991: 299). During these years, the NP instituted a system of convict labour. Under this scheme 'the government put into operation a plan under which groups of farmers were allowed to build prisons in the rural areas which were then used for the hiring out of prisoners as labourers for the farmers' (Neame, 1962: 107). This 'scheme for the employment of petty offenders' became national policy in 1954 (Posel, 1991: 121). This practice, 'strongly condemned abroad' (Neame, 1962: 107) is detailed in Allen Cook's (1982) *Akin to Slavery: Prison Labour in South Africa.*

In the late 1950s and early 1960s the state's focus, during the second phase of apartheid, was on limiting African urbanization and the creation of ethnic homelands. However, even the heightened social and political repression of this period did not stop the formation of black unions. In the 1950s the 'congress movement set up its own South African Congress of Trade Unions (SACTU)' (Beinart, 2001: 155-6). SACTU, which was the most politically aligned worker organization in South Africa worked very closely with the South African Communist Party and the underground movement after the banning of the ANC and other political organizations (SADET, 2004: 106).

As the decade of the 1960s unfolded, African labour regulation became primarily encapsulated in the pervasive system of pass controls which were part of the homeland system and the industrial decentralization strategy that sought to build industrial production zones in homelands. It was the onset of the 1973 wave of strikes that 'the industrial calm was shattered' (Maree, 1987: 2). The wave of strikes that swept through South Africa's industrial centres demonstrated that 'strikes had never depended on unions' (Beinart, 2001: 239)[7]. The 1973 wave of strikes brought into sharp focus the issue of black worker representation in the workplace. The state responded with the Bantu Labour Relations Regulation Act of 1973 providing for liaison committees and works committees. This legislation 'envisaged the liaison committee as a consultative body while the works committee was to enjoy negotiation rights limited to in-plant bargaining' (Horner, 1987: 131).

[7] It was this wave of strikes that led employers to use the Poverty Datum Line in fixing the wages of black workers (see Chapter 5).

The early 1970s strikes 'raised African working class consciousness' (Maree, 1987: 3). Some of the trade unions that were formed at the time ascribed to Black Consciousness and restricted themselves to 'black workers and black leadership' (Beinart, 2001: 242). Other unions were non-racial in membership and leadership. The crucial development in this phase in the struggle against apartheid repression was the coming together in solidarity and in common overtly political action of trade unions and community organizations. The 1976 student uprising became the expression of this solidarity and common purpose. In the aftermath of this uprising, the Minister of Justice 'banned all movements associated with Black Consciousness and the range of bannings was itself an indication of the extent to which black self-awareness had proliferated since the banning of the ANC and the PAC in 1960' (Davenport, 1991: 392).

Trade unions did not escape the wrath of the apartheid state as 'the state imposed the most repressive measures yet taken against the independent unions' (Maree, 1987: 5). The events of 1976 and the rising worker militancy compelled the apartheid state to revisit the issue of black worker representation. The outcome was the appointment of the Wiehahn Commission referred to above which reported in 1979. Some of the recommendations of this commission were accepted leading to the amendment of the Industrial Conciliation Act in 1979 and included under the definition of employee 'African workers with permanent urban resident rights' (Maree and Budlender, 1987: 119). With this amendment, 'for the first time in the country's history, the state recognized African trade unions by giving Africans the legal right to belong to registered unions and participate in the central industrial relations machinery' (Maree and Budlender, 1987: 117).

In the post-Wiehahn period, 'African unions expanded rapidly' (Maree, 1987: 7) and in 1979 and 1980 the independent unions formed two federations, the Federation of South African

Trade Unions (FOSATU) and the Council of Unions of South Africa (CUSA) (Beinart, 2001). In the 1980s unions found themselves working jointly with community organizations in strikes, boycotts and stayaways. This became more pronounced after the launch of the United Democratic Front in August 1983, the Congress of South African Trade Unions (COSATU) in 1985 as 'successful stayaways cemented links between the independent trade unions and the UDF civics' (Beinart, 2001: 262). These developments in the political and trade union spheres were pivotal in heightening the struggle against apartheid. This internal thrust, coupled with international pressure against the apartheid regime, forced the state to rethink the viability and long-term sustainability of the apartheid system.

3.5 Passes, influx control and the homeland system

Passes as a form of control and regulation of the movement of black people, were a crucial feature of the colonial, segregation and apartheid periods in South Africa. Hindson (1987) undertook a comprehensive study of this system in *Pass Control and the Urban African Proletariat*. This form of control depended very much on the type of policy pursued by the government of the day. The labyrinth of pass laws over decades were dictated by whether the aim was to enforce segregated urban residential areas or to prevent the so called 'influx' of Africans to urban areas and attempt to divert them to farms as labourers or the shepherding through pass laws of thousands of Africans to ethnic homelands created during apartheid.

According to SADET (2004: 22) the first pass laws were introduced by the British in 1809 and 'this law and its numerous offspring remained on the statute books in South Africa until 1988'. The beginning of the mining of gold and diamonds necessitated the recruitment of a labour

force that was subjected to strict controls. This made pass laws an 'essential mechanism for the proletarianisation and incorporation of Africans into wage labour' (Muthien, 1994: 23). During the segregation period, the law that anchored the government's pass control was the 1923 Native Urban Areas Act. This law 'gave municipalities greater powers to segregate housing, to police African communities, and control movement by imposing passes' (Beinart, 2001: 126). The enactment 'provided a coherent policy for the whole of South Africa' (SADET, 2004: 23). There were other pieces of legislation such as the Native Administration Act which was amended in 1929 with the result that it brought 'all potential black workers anywhere in South Africa under the discipline of pass laws and movement control' (Davenport, 1991: 266). In the 1930s when farmers voiced concern of shortages of farm labour, the government responded kindly with a further amendment of the Natives Urban Areas Act imposing 'tighter controls over the recruitment of farm workers by urban employers' (Davenport, 1991: 266). Under apartheid, more restrictive and stringently applied measures were imposed on the movement, areas of residence and migration between country side and urban areas particularly for the African population. In Posel's (1991: 256) analysis, 'influx control "as a pillar of the apartheid system" was constructed during the 1950s'. A further determining factor was whether the apartheid state was pursuing 'total' apartheid or 'practical' apartheid (Posel, 1991).

Pass laws and the control of areas and places of residence and work became more pervasive under apartheid than was the case during the segregation period. When the National Party came to power in 1948, the numbers of black people in urban areas were a serious political concern and 'tight "influx" controls were designed to check urban growth and inhibit the development of a black urban working class' (Beinart, 2001: 156), and 'the NAD[8] regarded these curbs on

[8] Native Affairs Department

population growth in the cities as a vital instrument for containing the threat of urban African resistance' (Posel, 1991: 93). The Native Affairs Department was central and the key department in policies and laws controlling and regulating the movement of black members of South African society and 'by 1952 the NAD had established a sub-department of Labour in respect of African workers' (Posel, 1991: 64). The apartheid state went on to establish a national system and network of Labour Bureaux. The restrictive measures from this development saw an escalation of arrests for pass law violations (Hindson, 1987). To streamline policies controlling movement the NAD devised a pass system and influx control mechanism that substantially went beyond the control of African labour into urban areas. The system extended itself to attempts at freezing further urbanization and imposing the influx control system to African women and the institution of a labour preference policy which favoured urban 'detribalised' Africans and Coloured people in the Cape Province (Posel, 1991:76-81).

The shift to the second phase of apartheid which had as its main objective the creation of ethnic homelands based on 'separate development' saw passes, influx control becoming a central feature in the enforcement of the homeland system. Every African person had to belong to an ethnic homeland when the Promotion of Bantu Self-Government Act of 1959 consigning Africans to ethnic territories (homelands) was promulgated. As Neame (1962) mentioned:

> 'The government scheme led to a permanent white South Africa with separate Bantu national units which could develop into independent Bantu states but which the government believed could be bound to the white State through wise statemanship, help and co-operation. If and when the Bantu areas developed into autonomous units they would be politically independent, though there would be economic inter-dependence.' (Neame, 1962: 160)

These creations were further extended in the Bantu Homelands Citizenship Act of 1970 and the Bantu Homelands Constitution Act of 1971, which, as mentioned earlier had as the object the elimination of the space and possibility for citizenship rights for blacks in a politically white South African republic. Pass and influx control during the second phase of apartheid saw many Africans 'endorsed out' (Posel, 1991: 127) of urban areas to their ethnic homelands. The decade between 1960 and 1970 saw the number of Africans in urban areas decrease. Posel (1991: 252) attributes this decrease to forced removals and not influx control. As Beinart (2001: 159) observes, 'influx control was only very partially successful and had limited effect on the rate of growth of the African urban population'.

3.6 Bantu education and the creation of a racial labour hierarchy

The policy and legislative area of the provision of public education and its quality and numbers accessing it was another terrain in which both segregationist and apartheid governments entrenched the system of white supremacy. Whilst the white population was provided with excellent educational facilities at primary, secondary and tertiary levels with adequate state resources allocated, the black population had to make do with poor facilities and less funding and resources. The overall aim and intended outcome for the education of blacks was to retain them at the lowest ranks of the employment hierarchy with the attendant low wages and poor quality of lives. This created coherence in policies in education, the labour market, the economy and national politics. These policies were expressed clearer and more forcefully under apartheid.

As early as 1905 ‘the Cape parliament legislated for compulsory primary education for whites’ (Beinart, 2001: 42). Public schools were segregated by the same parliament in its School Boards Act of 1905 (Davenport, 1991: 111). During this period black education was under the control and was managed by missionary societies, which were religious Christian bodies affiliated to the main churches such as the Roman Catholic, Church of England, Presbyterian Church and others. The Native Education Act of 1945 ‘made provision for a new system of financing African education’ and this ‘proved quite inadequate to meet the needs of an expanding service such as educational facilities for Africans’ (Matthews, 1981: 142-145).

With the advent of the apartheid system under the Nationalists, drastic and radical changes were effected in the education of blacks in South Africa. Under the Bantu Education Act of 1953 ‘funding and administration of African education was removed from missions and provincial authorities and taken under the iron hand of Dr W Eiselen, Verwoerd’s secretary of Native Affairs’ (Beinart, 2001: 159). This development led ZK Matthews, an eminent ANC politician then, to lament:

> ‘… the compulsory transfer in April 1955 of African schools from unwilling churches and missions, and the introduction into African schools of curricula and a system of organization designed to condition the African child to acquiesce in a status of permanent inferiority in his own homeland.’ (Matthews, 1981: 183)

Later, Tabata (1959) reflecting on this policy from the apartheid state saw it as ‘education for barbarism’. Matthews (1981: 179) saw it as an ‘official attempt to produce a slave mentality in African children as they swell the vast army of cheap unskilled labourers for South Africa’s mines and farms’.

Huge disparities in funding and expenditure in education for blacks and that for whites became the order of the day. The Minister of Native Affairs placed education for Africans under the Department of Native Affairs. Under these circumstances the quality of black education suffered. Verwoerd, a staunch proponent of apartheid, defended the Bantu Education Act of 1953 thus:

> 'What is the use of subjecting a Native child to a curriculum which in the first instance is traditionally European? What is the use of teaching the Bantu child mathematics when it cannot use it in practice? That is quite absurd. Education must train and teach people in accordance with their opportunities in life according to the sphere in which they live.' (Neame, 1962: 95)

As Matthews (1981: 170) commented 'the aims, content and financing of African education will be streamlined to fit into the apartheid mould'. This apartheid mould and the thinking behind it was visited on universities and higher education towards the end of the first decade of apartheid. In higher education 'separate provision' had to be made for natives and their admission to European institutions was curtailed (Neame, 1962: 75). According to Davenport (1991):

> 'It was also in 1957 that the Government went ahead with its plans to attack integrated higher education, in the face of strong opposition from those universities (all of them English-medium) which were not already uniracial. Acting on the Report of the Holloway Commission, which had investigated the administrative aspects but not the principle of university apartheid, the Government made alternative provision under an Extension of University Education Act for four ethnic university colleges, in addition to Fort Hare, at Bellville, Ngoye, Durban and Turfloop, for Coloured, Zulu, Indian and Sotho-Tswana students respectively.' (Davenport 1991: 345)

The outcomes of the apartheid education system resulted in blacks being retained at low levels in the apartheid era job and wage hierarchy. Through the operations of Bantu Education, blacks were barred, with a very few exceptions, from training in high level technical fields such as engineering, electronics and computing.

3.7 The creation of a racially discriminatory welfare system

The creation of a racially discriminatory welfare system provides further evidence of the disregard of extensive African poverty and black people's citizenship rights. Segregation and apartheid states created and extended a social security system that, in the first instance, catered for white South Africans. As McKendrick (1987: 3) states 'one of the strongest characteristics of organized welfare in South Africa is an intense and overriding preoccupation with race'. The discriminatory social security system came into play over and above the advantages and advancement enjoyed by white South Africans in the economic sphere. The system, in its initial conception and focus, was directed at dealing with the 'poor white problem' in response to the outcomes of the Carnegie Commission of the 1930s (McKendrick, 1987; Patel, 2005). Over the years, through its resources and reach, combined with protected employment from the state and industries, the segregation and apartheid welfare systems succeeded in ensuring that very few white South Africans lived in poverty.

Concerns with white poverty have a long history in South Africa dating back to the days of the Company in the Dutch Cape Colony. McKendrick (1987: 7-9) mentions the Dutch Reformed Church's involvement in poor relief as early as 1665 and the creation of 'institutional welfare resources such as the first orphanage founded in 1814'. Poor whiteism 'was regularly discussed at Afrikaner Bond congresses in the 1890s' (Davenport, 1991: 289). The church, particularly the Dutch Reformed Church, 'organised successive conferences to seek means to ameliorate white poverty' (McKendrick, 1987: 10). The Union Government of 1910 paid special attention to the problem of poor whites as it 'wanted to reconstruct white society and became increasingly involved in poverty relief through the creation of employment opportunities in the

armed forces, railways, municipalities and agricultural settlements' (Patel, 2005: 69). In 1924 the Department of Labour 'was created with the express object of finding work for them [poor whites]' (McKendrick, 1987: 11). The segregation government implemented laws and measures that were aimed at lifting whites out of poverty and ensure an acceptable 'civilised' standard of living for this group as reflected in the job reservation and the adoption of the civilized labour policy in 1924 (Duncan, 1995). By the end of the 1920s progress had been made towards catering for the welfare needs of specific groups of whites as shown by the formation of National Councils for Child Welfare in 1924, for the Blind and for the Deaf in 1929 (McKendrick, 1987: 12).

At the instigation of churches and some Afrikaner nationalist politicians, an investigation of white poverty by the Carnegie Commission was conducted (Davenport, 1991; McKendrick, 1987; Beinart, 2001; Patel, 2005). The report of the commission, in five volumes, covered topics on rural impoverishment, psychology of poor whites, education, health and social aspects of the problem. Important as well were the recommendations on how to tackle these various problems. As Beinart (2001: 46) observes, poor whites 'became subject to one of the most intensive sociological studies yet undertaken in the country'. The Commission's report 'was dramatic in the impact that it had on South African social welfare' (McKendrick, 1987: 12). As a direct result of the Carnegie Commission on white poverty, 'the first state welfare department was instituted in 1937' (Hare and McKendrick, 1976: 77) and 'this marked the beginning of organized state intervention in social welfare' (Patel, 2005: 69). The period from 1937 to 1947 saw the appointment of the Social and Economic Planning Council in 1942 which 'embraced social security as one of its basic 'guiding principles'' (Duncan, 1995: 78). This was followed by the Social Security Committee in 1943 which explored the nature and extent of

social security as ‘South Africa took the first faltering steps towards the establishment of a ‘welfare state’’ (Duncan, 1995: 72).

It is to this period in South Africa that Seekings (2000) traces the origins of TH Marshall’s notion of social citizenship. To buttress this point, Seekings (2000) refers to the ‘1940s multi-racial welfare system’ and a universal pension scheme as the most significant development (Seekings, 2000: 388). There is evidence that there were moves afoot to bring members of the black population within the ambit of a national social security system. However, as the discussion will show, those efforts were undermined. During this period, as Duncan (1995: 78) correctly points out ‘Africans also accrued increased pensions and unemployment payments as a result of government-sponsored investigations into post-war social welfare provision’. In the years 1940-1947 ‘large parts of the welfare system were deracialised’ (Seekings, 2000: 395). The 1942 War Pensions Act included Africans. The 1944 Pensions Laws Act ‘brought Africans under pension legislation for the first time’ (Duncan, 1995: 78) and the Unemployment Insurance Act of 1946 included some Africans.

Seekings (2000: 395-6) makes the argument that the deracialisation of large parts of the welfare system were an indication of a ‘shift towards universalism’ and that the ‘principle of inclusion was established’. During the segregation period, the deracialisation referred to still differentiated state benefits on race and what is seen as the principle of inclusion did not entail equality. Thus, the welfare system that emerged, and floundered after the NP came to power in 1948, was never universal, inclusive or based on equality of races and all social beings in need. As ZK Matthews was to write in the last years of the segregation period:

> '… the Government's record of achievement falls far short of the actual needs of the situation, applies *mutatis mutandis* to the questions of Native Health and Housing, and to the extension of social security benefits to the African people. Consequently we do not share the obvious complacency with which the Government appears to regard the situation. Moreover, these special benefits … accrue only to a small proportion of the total African population.' (Matthews, 1981: 151)

In essence, during segregation, and extended under apartheid as discussed below, 'Africans, Coloureds and Indians were denied both citizenship and welfare rights in a common society' (Patel, 2005: 70). Under segregation, the state was evidently in favour of and went on to implement 'a narrow vision of the 'welfare state' (Duncan, 1995: 89).

With the advent of the NP some of the limited social security reforms and advances 'were undone after 1948, but others (including especially the old-age pensions) survived' (Seekings, 2000: 388). The thrust towards the social advancement of the white population pervaded state policies and actions. Welfare provision thoroughly mopped up where the market and the apartheid state failed. As Wilson (2005) commented when reviewing apartheid and poverty:

> 'Indeed, one way of interpreting the policy of apartheid as introduced in 1948 and the decades that followed, is to see it as a highly effective anti-poverty program … for whites only.' (Wilson, 2005: 61)

Even before ascending to state power, the NP had voiced strong objections in parliament to the extension of social security benefits to Africans. This was seen as 'wasting tax payers' money on Africans and thereby encouraging the influx to the towns' (Duncan, 1995: 88). State welfare provision under apartheid was aligned to the apartheid ideology. Key architects of apartheid such as Verwoerd 'called for a comprehensive economic, political and social strategy to deal with white poverty and its effects' (Patel, 2005:70). Racially determined levels of state benefits

and grants, and the creation of racially-defined, separate and unequally funded welfare departments characterized this sphere of state intervention.

The pre-occupation with race and its manifestation in the apartheid period was common in official publications. As the Department of Information explained in 1969:

> 'In line with the Republic's policy of separate development for the different national groups, separate departments of State provide social amenities and services for each group. Thus, there are the Departments of Social Welfare and Pensions, for the white nation, Bantu Administration and Development, for the various Bantu nations, Indian Affairs for the Indian population groups and Coloured Affairs for the Coloured nation. Not only is this a logical development of the policy; it is the most practical way of ensuring efficiency and success, as it allows welfare measures to be designed to take into account the diverse circumstances and needs of South Africa's diverse peoples.' (RSA, 1968: 4)

This same document, under the heading *'Welfare Work Amongst the Bantu'*, written when the ethnic homeland system was one the main state policies towards Africans, goes on to argue that:

> 'The Bantu of South Africa consist of a number of nations, each differing from the others, each jealous of its individuality. It is fallacious to assume that what is suitable for one is necessarily so for the others; and it follows that planning for the Bantu nations must be done within the social context of the particular Bantu society involved, or chaos may result.' (RSA, 1968: 15)

As a consequence a racially fragmented welfare system was sustained under apartheid (Hare and McKendrick, 1976; McKendrick, 1987; Patel, 2005). By 1992 there 'were a total of 18 state welfare departments (Patel, 1992: 44) in the Republic of South Africa, homelands and self-governing territories with a huge variation in type and quality of services. This fragmentation and inequality meant that:

> '… imbalances exist in the quantity and quality of welfare resources available to members of the country's different racial communities. In terms of quantity of service, members of the White group generally have access to a more comprehensive and sophisticated range of services.' (Hare and McKendrick, 1976: 87)

The comprehensiveness of welfare provision for whites covered 'the needs of widows and orphans, children in need of care, the physically or mentally disabled who are unable to earn any income, families with small incomes or none at all, war veterans, and aged persons who no longer have any earnings' and 'all these are non-contributory and paid directly from the exchequer' (RSA, 1968). State support such as family allowances and state maintenance grants excluded Africans (Patel, 2005). Old age pensions were paid at racially differentiated rates. From 1948 the NP allowed the difference between white and African pensions to 'widen from 4:1 to 7:1 by 1970' (Seekings, 2000: 399). Hare and McKendrick (1976: 87) cite an approximate ratio of 4:2:1 on whites, Coloured and Indian, and Blacks pensions. In 1987, actual payments in rands per month were R117 for Africans, R167 for Coloureds and Indians, and R218 for whites (Patel, 2005: 72).

3.8 Concluding remarks

This Chapter has outlined the manifestation of the denial of citizenship to the black population in South Africa starting from the time of the formation of the Union of South Africa in 1910 to the adoption of the apartheid system in 1948 and up to the removal of apartheid as an official state system in 1994. Five themes were employed to provide the developments at multiple social, political and economic levels over this period through which the denial of citizenship is cogently captured. Land dispossession, the denial of industrial citizenship as reflected in labour laws and the suppression of black worker organizations, passes, influx control and their

ultimate enforcement under the homeland system, Bantu education and the creation of a racially discriminatory welfare system, not only show the actual practices and actions against black people but also highlight some of the key laws, policies and practices that were instrumental in the creation of extensive poverty in the black population. The developments raised and outlined here provide the political and economic context within which the responses to poverty and the choice of definitions and measurement of poverty in the black population in the segregation era and the apartheid period were made.

Chapter 4 Definition and measurement of poverty during the segregation and the apartheid eras in South Africa: Edward Batson's Poverty Datum Line

4.1 Introduction

The understanding and definition of poverty and responses to it in the period 1910 to 1994 needs to be placed within the ideological and socio-political nature of the segregation and apartheid systems that came to shape the entire spectrum of unequal race relations during these periods. Analyses of the causes of poverty, state responses and definitions of poverty during the segregation and apartheid eras has to consider that, as political and economic systems both segregation and apartheid were 'geared towards the simultaneous pursuit of white political supremacy and white economic prosperity' (Posel, 1991: 8).

In the segregation period, 1910 – 1948, there are no official definitions of poverty that are adopted by the state. What we find are the state's responses to white poverty. These state's responses are different to how poverty in the black population is viewed and treated. A few examples of the race-based response to poverty are the 1913 Native Lands Act, the Industrial Conciliation Act of 1924, the 1925 Wage Act, the Civilised Labour Policy of 1926 and the Carnegie Commission into white poverty that reported in 1932 (Grosskopf, 1932). Whilst Edward Batson's PDL saw its beginnings in the segregation era, 1938 to be precise (Batson, 1942a), it was not an official definition of poverty. It is in the apartheid era that the PDL receives official endorsement.

The creation of impoverished African reserves that were not economically viable and from which mining, agriculture and manufacturing industries drew surplus labour, the racialised dual labour system of the segregation and apartheid eras, the racially selective state responses to white poverty whilst ignoring manifest poverty among blacks, form the socio-economic and historical backdrop from which policy responses and definitions of poverty can be fruitfully analysed.

This chapter begins with an analysis of the work of Edward Batson, a London School of Economics educated scholar and student of Arthur Bowley, who pioneered in South Africa, and later Southern Africa, the Poverty Datum Line (PDL) (Helm, 1949). He has been referred to as the 'founding father of the PDL' (Ellison, et al, 1975: 2). The work of Batson which straddles both segregationist and apartheid South Africa is the main plank on which the

discussions in the rest of the Chapter and in Chapter 5 are anchored. Edward Batson's PDL gave birth to the Household Subsistence Level (HSL) and the Minimum Living Level (MLL) (see Chapter 5). The HSL and MLL are the two most commonly used definitions and measures of poverty in post-apartheid South Africa (Leibbrandt and Woolard, 1999a).

The final section of this Chapter considers the use of Batson's PDL during the apartheid era in relation to the wages of black workers. As will become clear, apartheid era policy makers and decision makers who were committed to an economic, political and social hierarchy based on race found the PDL appealing as a 'scientific' tool to be used to deny black workers wages comparable to their white counterparts. The PDL became the unattainable gold standard against which black wages came to be set. As the discussion shows the PDL became the ideal for fixing the wages of black workers and it was no longer considered to be 'below a standard that is human' (Batson, 1941a: 1).

The discussion in this Chapter does not attempt to be historical or chronological in the presentation and analysis of developments, but rather to demonstrate that the PDL (and the HSL and the MLL which are derivatives of the PDL) originate in a social, political and economic era and were used as instruments to impoverish and disadvantage members of the black population. As we look into the nature of the PDL, the overarching purpose has to be borne in mind. The aim is to bring together sources and different types of materials on apartheid era poverty definition and to demonstrate that, first, post-apartheid definitions and measurements of poverty come from the segregation era, second, these were used during the apartheid era as part of the discriminatory machinery to exploit and deny blacks acceptable standards of living, and, third, the use of these definitions and measurements of poverty in the

post-apartheid democratic era contradicts and violates the vision and values enshrined in the Constitution.

4.2 The beginnings of 'scientific definition of poverty' in South Africa - Edward Batson and the Poverty Datum Line

Edward Batson made important contributions to the study and analysis of poverty in South Africa and in many other countries in Southern Africa. Edward Batson conducted his first studies on poverty in Cape Town in South Africa between 1938-1939 and went onto undertake 'similar surveys in Africa' (University of Cape Town, 1999). Ellison et al (1975: 2) refer to the Poverty Datum Line initiated by Edward Batson as 'a peculiarly Southern African measure' of poverty. The PDL that he pioneered in South Africa influenced the study of poverty in apartheid South Africa and remains pivotal in understanding the definition and measurement of poverty in post-apartheid South Africa. Batson's work was influenced by international developments at the time, particularly in England with the work of Charles Booth (1892-1897), Seebohm Rowntree (1901) and Arthur Bowley (1915). In addition, South Africa's racial segregation and apartheid's discriminatory policies had an impact on his approach, methods of analysis, and his association with groups that called for fundamental change in the South African society of the period.

There are two noteworthy contributions that Batson made in the study of poverty following his appointment to the Chair of Social Science at the University of Cape Town in 1935 (Batson, 1942a: 20). The first contribution was on social survey methodology and statistical analysis. The approach Batson adopted drew from the work of Arthur Bowley in England (Helm, 1949: 6). Batson's contribution in this sense is significant when considered against the fact that the

earlier extensive work on poverty among whites in South Africa by the First Carnegie Commission did not follow survey methodology and did not employ rigorous statistical analysis.

Batson conducted the *Social Survey of Cape Town* between 1938 and 1939 (Batson, 1942a). The survey investigated various social, economic and demographic aspects of the Municipality of Cape Town. A series of reports was published under the *'The Social Survey of Cape Town'.* In the report *Distribution of Poverty among Coloured Households in Cape Town* detail is given that:

> 'During 1938-1939, the Social Survey of Cape Town conducted a sociological investigation of a 'random' sample of all private households in the Municipality … Eight hundred and thirty four Coloured private households were enumerated in this sample, and the statistics in the present report are all calculated from the data respecting the 834 households. If we multiply the number 834 by the appropriate 'sampling factor', we arrive at the number 25,000. This number is the most probable estimate that our data enable us to make of the total number of Coloured private households.' (Batson, 1941b: 1)

In the official report of *The Social Survey Conference*, referring to 'Special Methods Employed in the Survey', a point is made on the 'relative unfamiliarity of the methods developed in new fields of science often occasions suspicion about their legitimacy' (Batson, 1942a: 22). The report goes on to explain the methods for the 'household enquiry' including explanations of sampling, direct observation, interviewing, a replica 'Household Survey Card' and the point that 'social surveys in this respect follow what is only usual scientific practice' (Batson, 1942a: 22-29).

The second key contribution from Edward Batson in the study and analysis of poverty in South Africa was the introduction of the measurement of poverty through the use of poverty lines. Batson's approach in the definition of poverty and use of poverty lines including the nutritional and dietary components were imported from England and based on studies of poverty in the late 19th century and early 20th century. In the Report *The Cape Town Poverty Datum Line* Batson makes the observation that:

> 'As far as is known, no previous attempts have been made to construct a Poverty Datum Line suited to Union conditions, and the Social Survey of Cape Town was therefore obliged to make what use it could of overseas experience and to supplement this with such observation of local conditions as it was itself able to undertake.' (Batson, 1941a: 3)

Batson, explicitly followed the then prevailing British tradition of poverty measurement and poverty lines. As Helm (1949) observed in a statement that spoke of the English cities of London, Sheffield, York and Southampton and South Africa's Cape Town in the same sentence:

> 'The famous surveys of London and Merseyside followed in 1928 and 1930. They are remarkable in scope and employ widely the scales and minima devised by Bowley and Rowntree. They have done much to establish the confidence and esteem now accorded sociographers, and have served as guides to most of the numerous smaller (but by no means small) surveys that followed them; surveys of, inter alia, Sheffield, Southampton, Plymouth, Bristol, Birmingham, York, Cape Town, and Salisbury.'(Helm, 1949: 10)

Batson in the report *'A Contribution to the Study of Urban Coloured Poverty'* in 1942 (Batson, 1942c), makes reference to 'the tradition inaugurated by Rowntree and Bowley' and goes on to state that the 'Rowntree-Bowley procedure compares ascertained Available Household Incomes with calculated Household Poverty Datum Lines'. Batson's reliance on studies and analysis from Britain went beyond adapting poverty lines and included the use of classifications

for analysis that came from various British sociological investigations. In *'The distribution of Poverty among Coloured Households in Cape Town'* Batson uses the 'destitution', 'acute poverty', 'need', 'inadequacy' and 'adequacy' socio-economic categories and this stratification 'owes inspiration to the Bristol Survey' (Batson, 1941b: 4). The Bristol Survey was conducted in 1938 by Herbert Tout of the University of Bristol (Tout, 1938).

Of the two contributions that Batson made in the study of poverty in South Africa, the PDL is the one that receives attention here. The next section of this chapter outlines the components of the PDL, what this poverty line stood for and the precise composition of human and social necessities included and excluded, and the way in which it was used by Batson as a tool for exposing the high levels of poverty among South Africans.

4.3 What was the PDL?

The *Social Survey of Cape Town* led to a number of reports being published. In the report, *The Cape Town Poverty Datum Line* (Batson, 1941a), Batson gives the definition and full explanation of the PDL. In this report the PDL is introduced as 'an estimate of the income needed by any individual household if it is to attain a defined minimum level of health and decency' (Batson, 1941a: 1). The Report continues to state that 'by a well established convention, based largely on the work of Bowley, the necessaries for the "minimum level of health and decency" are reckoned to include the following, and only the following':

> 'Food - that quantity and variety which, taking into account age, sex, and sometimes occupation, will provide for each member of the household the calorific, protein, fat, and vitamin content, and the palatability, calculated by dieticians to be necessary for health, taking into account the established food customs of the Western World. Housing. Transportation of earners only between home and work. Clothing – the minimum for protection of health and conformity with Western custom. Fuel and

> lighting – the minimum compatible with health and conformity with Western customs. Cleaning materials – soap for personal and household use.' (Batson, 1941a: 1)

To further clarify the exact nature of the 'minimum level' captured and represented in the PDL, the authors of the report make the point that:

> 'Such a standard is perhaps more remarkable for what it omits than for what it includes. It does not allow a penny for amusements, for sport, for medicine, for education, for saving, for hire purchase, for holidays, for odd bus rides, for newspapers, stationery, tobacco, sweets, hobbies, gifts, pocket money or comforts or luxuries of any kind. It does not allow a penny for replacements of blankets, furniture or crockery. It is not a "human" (emphasis in original) standard of living. It thus admirably fulfils its purpose of stating the barest minimum (own emphasis) upon which subsistence and health can theoretically be achieved under Western conditions. It does not in any sense describe even a minimum ideal. (emphasis in original). As far as food, clothing, fuel, lighting, and cleaning materials are concerned, the Poverty Datum Line is calculated on the assumption that purchases are made in the cheapest market open to ordinary consumers.' (Batson, 1941a: 1-2)

As explored in Chapter 3, as an outcome of the 1913 Land Act, and the settlement patterns that came about with laws and Pass Control under both segregation and apartheid, the issue of access by the majority of blacks to 'cheapest market open to ordinary consumers' assumed by the PDL was not empirically valid (Budlender, 1985). The food component and requirement adopted in the PDL was based on 'one of the best known minimum dietaries' which is 'usually referred to as BMA No.2, a dietary constructed in 1933 by a committee of the British Medical Association appointed to determine the minimum expenditure upon foodstuffs which must be incurred if health and working capacity are to be maintained' (Batson, 1942a: 1-2).

There are a number of caveats and qualifications on the meaning and use of the PDL that were issued by the authors of various studies under *The Social Survey of Cape Town*. The PDL, 'is

not a "civilized standard of living" (emphasis in original), a basis for a minimum wage, or any kind of statement of what ought to be' (Batson, 1942a: 13). A further explanation is given:

> 'The Poverty Line does not itself measure poverty. It provides a datum from which (emphasis in original) poverty, defined in a certain way, can be measured by the Available Income Ratio. In accordance with the principles described above, the Available Income of a household is defined as the sum of the earnings of all the members of the household, plus any other family income (such as pensions or dividends), less the Net Rent paid by the household, less the earning members' travelling expenses to and from work. And the Net Rent is defined as the outgoings in the form of rent, or bond interest on the dwelling occupied, plus rates, plus payment for water supply, less any rents received from sub-tenants. The Available Income Ratio is the Available Income expressed as a percentage of the Poverty Datum Line.' (Batson, 1942a: 13)

In *The Distribution of Poverty among Coloured Households in Cape Town*, further emphasis is made that the PDL 'does not represent a "human" or "civilised" standard of living, but only a purely "physical" standard of health and decency' (Batson, 1941b: 2).Elsewhere the Poverty Datum Line is viewed as standing 'for existence at the lowest possible level' and as a 'physiological minimum' (Batson, 1942c: 2).

Another measure of poverty that Batson initiated is what he termed the Effective Minimum Income. In providing an explanation of this poverty measure which is referred to under measures of socio-economic status, expressed in monetary terms, Batson starts with the PDL which is further refined in comparison to the definition given above. The PDL is defined as:

> '… that expenditure which is necessary to procure, at the current prices of the district, those quantities of food, clothing, fuel and lighting and cleaning materials which are essential for the health and decency of the members of a given household. A household whose "Available Income" exceeds this expenditure is "above the Poverty Datum Line"; a household whose Available Income falls short of this expenditure level is "below the Poverty Datum Line" or, popularly, "in poverty". The "Effective Minimum Income" is that at which the competition of conventional necessaries slackens sufficiently to permit the *actual purchase* (emphasis in original) of the minimum essentials allowed for in the Poverty Datum Line.' (Batson, 1942b: 33)

When writing on 'The Extent of Urban Coloured Poverty', Batson firms up this concept of the Effective Minimum Income. He writes that 'there are grounds for supposing that, in Cape Town, the "Effective Minimum Income" at which the competition of conventional necessaries begins to permit the actual purchase of the minimum food essentials for health and efficiency is that income which lies about 50 per cent above the Poverty Datum Line (Batson, 1942c: 2-4). In the publication *The Poverty Line in Cape Town* the same point on the level at which the provisions of the Poverty Datum Line are likely to be purchased is made, but differently.

> 'Some investigations still in progress suggest that the standards of consumption provided by the Poverty Datum Line are reached in Cape Town when the Available Income is equal to approximately 150 per cent of the Poverty Datum Line. This level of income we propose to call the Effective Minimum Income.' (Batson, 1942a: 10)

This Effective Minimum Income, was replicated in the apartheid era by the Institute for Planning Research at the University of Port Elizabeth in an attempt at a more generous poverty line than the PDL. As will be shown in Chapter 5 some of the poverty measures such as the HSL and the Household Effective Level (HEL) were based directly on the PDL.

4.4 The use of the PDL by Batson and other poverty analysts to highlight poverty in the black population

The breadth of Batson's writings on the issue of poverty extends to not just the employment of survey techniques and rigorous statistical analysis, but its political and social causes and consequences. This indicates the work of a man who was deploying his skills and expertise with the objective of social change in mind. From his writings, it is evident that Batson's purpose was not just to measure poverty; he was pursuing a goal to bring about social change

in the segregation era and in apartheid South Africa. For Batson the appeal of the PDL lay in its nature as an 'objective' (Batson, 1942a: 24) measure of poverty including the minimum dietary component scientifically constructed by the British Medical Association. The other components of the PDL were constructed in a manner such that it was difficult to argue against them as being generous in both the number of items included and the very mean allowance for each. The PDL represented a 'sub-standard condition of living' (Batson, 1941a). But, Batson's aim in using this standard or level which is 'not human', is not even 'a minimum ideal', and is only a 'physiological minimum' representing 'existence at the lowest possible level' is not to confine any person or people to social existence or living which is below what is an acceptable standard of living. His aim was to demonstrate that there are many members of South African society who were living below this barest sub-human minimum. Therefore, for Batson, the PDL was to be used as incontrovertible evidence and irrefutable proof that there were significant numbers of South Africans who were living in deep poverty, barely able to survive. There are strong parallels with the work of Seebohm Rowntree here. Batson's PDL is similar to Rowntree's poverty line in terms of what it includes and excludes.

The findings of *The Social Survey of Cape Town* were disseminated through reports and presented at conferences organised with the specific purpose of making government aware of the extent of the problem and to address the high levels of poverty among Coloureds and Africans in South Africa. Participants in the Social Survey Conference held in Cape Town in 1942 (Batson, 1942b), included opinion makers and policy makers such as Mrs Margaret Ballinger (Member of Parliament), Dr Peter Allan (Union Secretary for Public Health), Dr F Brummer (Union Department of Social Welfare), Mr W James (Mayor of Cape Town) and university professors and researchers. The conference covered topics such as 'Industrial Legislation and Collective Bargaining', 'The Unprotected Worker', 'A Labour Policy for the

State', 'A Health Policy for the State', 'A Social Welfare Policy for the State' and others that focussed on the need to move away from the racially discriminatory political and economic system of the segregation era. To indicate the quest for social change behind the conference, resolutions were taken. Some of the conference recommendations were:

> 'On 'Wages and Poverty'. Resolution 4. That, in view of the poverty disclosed by the Survey, a Commission be appointed to investigate the practical possibility of removing restraints on equality of employment opportunities, due regard having been given to the established expectations of races, skilled workers and other economic groups.
>
> On 'The Social Services'. Resolution 7. (a) That this Conference records that the evidence collated from the Cape Town Social Survey reveals conditions of human misery which no Christian country can permit to continue. Therefore the Government is strongly urged, as an immediate aim, to take statutory power to enforce a comprehensive Code of Social Security designed to insure every citizen of the State against every economic contingency of life, from birth to death. (b) That members of this Conference will use all the means in their power to have this resolution given effect to. (c) That a deputation from this Conference be appointed to convey this resolution to the Right Hon. The Prime Minister, together with a report of the proceedings of this Conference. Resolution 8. That maintenance grants be paid to the mothers of all children in the Union of South Africa from birth to the age of sixteen years. Resolution 9. That the Government be requested to make adequate provision for aged people in the Union of South Africa, irrespective of race.' (Batson, 1942b: 205-6)

Batson actively participated in initiatives that sought to bring about a different political dispensation in South Africa in the post-war period. He went on to give evidence in government commissions. Among these commissions was the National Health Services Commission led by Dr Gluckman that was held in 1942 (Union Government, 1944). Pursuing the ideals in line with resolutions of the Social Survey Conference of 1942, and 'proposals put forward by Dr H Gluckman for a comprehensive medical service' and 'in view of the malnutrition disclosed by the Survey' (Batson, 1942b: 207). Batson decried the limited coverage and establishment of hospital services available to all South Africans. On numerous occasions using different platforms he raised the 'social question' of racial discrimination and its consequences for Non-

Europeans. In the article *The Social Services and the Poverty of the Unskilled Worker* he raises the point that:

> 'The number of families in this class in the Union which are in fact unable to earn enough to attain physical efficiency or "human" standards has never been computed but is known to be great. It is also known that there is a high concentration of such families in the occupational groups mentioned above: agriculture and unskilled labour.' (Batson, 1939: 4)

On discussing the Union's Social Services and discrimination the issue and notion of social justice is raised as he argued that:

> 'For those, or for some of those, who through low earning power, propertylessness, and family poverty, are reduced to a lower standard of living than current ideals of social justice will tolerate, Western Society makes provision through what I shall call generically *the Social Services*, (emphasis in original) which may be defined as those activities by which public provision is made in Western Society for the survival or betterment of those whose existence at a tolerable level in not assured to them by the Private Family, Private Property, or Personal Effort.' (Batson, 1940: 3)

In this same article he further made the point that 'the assurance of the general minimum thus appears to be the first objective of a rational and humane socio-economic system' and 'the principle of the social services is provision for the general attainment of at least a minimum standard' (Batson, 1940: 4-5).

The more illuminating attack on discriminatory policies, regulations and services during the period is provided by Batson's use of the expression 'Social Disservices' in the Union. He made the assertion that 'by Social Disservices I mean socio-economic activities which have the direct effect of reducing the standard of living of the poorer sections of the community' (Batson, 1939: 14). According to him these Social Disservices 'operate through the custom tariffs, marketing control, restrictions upon entry into industry, restrictions upon the geographic mobility of labour, regressive taxation' (Batson, 1940: 6). Elsewhere the contradictions and

discrimination of the Union's social services are highlighted. There is 'conflict between the social services and social disservices' and 'conflict within the system of social services which arise from ethnic discrimination which is one of their chief characteristic' (Batson, 1940: 5). In the analysis, examples demonstrating that 'Non-Europeans have to be poorer than Europeans to qualify for services available to both' and that 'the scales of benefit available to Non-Europeans are lower than those for Europeans' (Batson, 1940: 14) are provided. He goes on to observe that:

> 'In the Union the development of the social services has been paralleled, but greatly overshadowed, by the development of a remarkable body of social disservices, operating through marketing control, wage and apprenticeship regulation, the 'civilised labour' policy, direct taxation, the customs and in numerous other ways.' (Batson, 1939: 15)

It is an important observation to make that under the leadership of Batson, the PDL was calculated for all race groups *without discrimination* whenever information and data permitted. In the Report of the Social Survey Conference, the number of European households and Coloured households 'not below the Poverty Datum Line' is given as 95% (+/- 2), and 47% (+/-4) respectively (Batson, 1942b: 34). Again in the same report, Professor Hutt, gives the 'socio-economic distribution' of Cape Town households (European and Coloured) that are below the PDL based on data from the Social Survey of Cape Town. Batson continued to calculate the PDL during the apartheid era and, as will be demonstrated, this poverty definition and poverty line was taken on and extensively used by writers and researchers on poverty.

In the early years of the apartheid system, having witnessed the growing intensity and momentum of racial laws and policies, particularly on the issue of social welfare, Batson found himself arguing for non-racial integrated welfare services. In his view:

> 'Social welfare is indivisible. It is the welfare of us all, collectively … It is the antithesis of the search for the advantage of one group, section, or class ... But I think we all realise that there can be no such thing as "European social welfare", or "Non-European social welfare" … So long as we live on the same earth, our social problems will be in large measure common to us all. And if we are to achieve anything that can be rightly called social welfare, some body of persons must concern itself with the needs of us all.' (Union Government, 1951: 17)

After 1948, with the adoption of apartheid as state ideology and practice, Batson continued to conduct research and calculate the PDL. In 1952 he published *The Poverty Datum Line in March 1952*[9]. During the apartheid era Batson participated in and became a member of various government committees, boards and councils and in the 1950s Batson worked for the Council for Scientific and Industrial Research (CSIR) (Davie, 2007). It was during this period that he was to see the work on the PDL and poverty lines he had adopted from Rowntree and Bowley being used to entrench rather than uproot racial discrimination. The PDL crossed into the hands of the apartheid state and industrialists employing black workers in their factories. In particular, during the apartheid era the PDL became a central feature of the Wage Boards at which black workers' wages were fixed (see next Section).

4.5 The Poverty Datum Line and the link with black workers' wages in the apartheid era

The use of the PDL in relation to wages of black workers was opposite to and completely contrary to what Batson advocated. By the early 1970s the PDL had become the 'unattainable gold standard' against which the low wages of black workers were set. South African

[9] In this report Batson mentions that 'Calculations of the Poverty Datum Line for Cape Town were made in 1938-1939, April 1941, January 1942, February 1943, October 1943, March 1949, March 1950, and March 1951'.

industries, as research and analysis showed[10], paid wages for black workers that were below the money-metric PDL which represented the barest minimum and was deemed a standard that was not human by its pioneer. It is ironic that not only was the PDL appropriated by those seeking to keep wages to a minimum, but that as time progressed it was also used uncritically by progressive actors who sought to increase wages for black South Africans (Wilson and Ramphela, 1989). The very people who thought they were supporting black workers were in some instances arguing for wage increases to the level of the PDL which was regarded by Batson as not a human or civilised standard of living.

Before outlining the way in which the PDL was used in relation to wage fixing, it should be stressed that laws for the determination of black worker's wages go back to an earlier period than the apartheid era. The separate and different labour regulatory framework for black workers who were excluded from definition of employee and denied the right to form or become members of registered trade unions was achieved through the Industrial Conciliation Act of 1924. The racial hierarchy expressed through the levels of wages was legislated through the passing of the 1925 Wage Act. This Act provided for 'the appointment of Boards to investigate and report on wages in industry, and empowers the Minister of Labour to give effect to the recommendations of these Boards' (Union Government, 1925). Of relevance to issues under consideration here is that this Act formalized a dual race-based system for the determination of wage levels, the one through full formal representation, the other, through decree.

[10] Discussed in detail in the next section.

An analysis of the laws, regulations, policies, and the many government commissions covering the segregation and apartheid periods points at three explanations for the retention of black wages at low levels. Katzen (1961) outlined these reasons. First, the black worker was seen as not deserving of a wage to support a family because it was taken as a fact that the family he left behind in the reserves was economically self sufficient. Katzen (1961) elaborated on this point:

> 'As this labour was recruited on a migratory basis, the workers did not receive a "family" wage. The worker was fed and housed while on the mines and the low cash wage he received was merely supposed to supplement the earnings from agriculture of his family in the Native Reserves.' (Katzen, 1961: 196)

The second explanation was the assumed different standards of living. It was taken as beyond argument that the white worker was entitled to a 'civilized standard of living'.[11] The black worker, because of his assumed backwardness did not deserve this standard and was therefore deliberately confined, through law and policy, to a low non-civilised standard of living primarily represented by the low wage. In the case of the mining industry arguments were made that 'skilled labour had to be attracted to the mines from other parts of South Africa and overseas by comparatively high rates of pay' (Katzen, 1961: 196). The wages of European workers had to be 'at a wage compatible with a civilised standard of life' (Union Government, 1926)[12] and that the natives 'employed by the mines are not usually regarded as living up to a civilised standard' (Union Government, 1926). This thinking spread and became established attitude and practice in the agriculture and manufacturing sectors.

[11] The Civilised Labour Policy of 1925 was adopted by the Union Government to advance the interests of white workers.
[12] Evidence of the Gold Producers' Committee of the Transvaal Chamber of Mines to the Wages and Economic Commission of 1926, Statement no.5, page 14).

The third explanation was that there was an 'abundant supply of unskilled black labour available once it could be "smoked out" of the rural areas by taxation and other legislative measures' (Katzen, 1961: 196). In economic terms this abundance of potential unskilled millions of workers meant that wages could be kept low. In later years the former Chairman of the Wage Board, looking at the history of the Wage Board and the wage levels of black workers over the years, remarked that 'The Wage Act was coupled with exploitation at its birth' (Steenkamp, 1963: 251).

Whilst the policy and ideas on black wages were as outlined above, the PDL was brought in as a somewhat scientific justification for retaining black wages at low levels. The PDL was first referred to in relation to wage levels at the 1942 Social Survey Conference discussed above. At this conference calls for an inclusive social and economic system that catered for the needs of *all* citizens were made. The Social Survey Conference, having the evident 'conditions of poverty and human misery' as the point of reference, went on to assert that 'these conditions are dangerously undermining the health, well-being, and happiness of citizens, and are a proved and direct cause of the malnutrition of large sections of the population of the Union' and '*strongly urges Government* immediately to submit legislation creating a National Code of Social Security designed to meet the needs of the European and Non-European sections of the Union's population' (Batson, 1941a: 203-4). The point about low wages as the primary cause of poverty was strongly raised. The many restrictions such as free movement of people and employment at low levels of the employment and wage hierarchy were pointed out as 'indisputably the main factor in *all* urban poverty, i.e. poverty in all racial classes' (Batson, 1941a: 52). The PDL was seen as 'so low a standard that no one ought to live at it and yet':

> '… in Cape Town, below that line are 5 per cent of the European population, 20 per cent of the Asiatic, 48 per cent of the Native, and 53 per cent of the Coloured. That it

> is next to impossible for an unskilled worker in Cape Town to maintain an average family above the PDL is the verdict of the Survey.' (Batson, 1941a: 68)

The conference made reference to the fact that the disparity in wages which was associated with colour distinction was greater than in any other part of the world (Batson, 1941a). During the war and in the years leading to the adoption of apartheid as state ideology there were ongoing calls for wages to be *above* the PDL. The African Mine Workers strike of 1946 was, it was argued, further evidence of the need for urgent action on the levels of black wages in all sectors. According to Steenkamp (1963: 250), a past Chairman of the Wage Board, 'one of the historic consequences of the Second World War, moreover, was the prominence it gave to the dark races and to their condition, including their poverty'. The work of Van Niekerk (2008) also corroborates this view of the role of the Second World War as catalyst in discussions about a better society for all involved in the war effort.

During the 1940s and the period covering the war, writings and debates on black poverty, black wages and their comparison to the PDL became common. Furthermore, under Apartheid the system of using Wage Boards to set the levels of black wages was formally extended through the Bantu Labour (Settlement of Disputes) Act of 1953. This Act was 'intended to provide for black-employee representation in the settlement of disputes and the fixation of wages' and made 'provision for the establishment of a "central Bantu labour board", "regional Bantu labour committees" and works committees of black workers on the shop or factory level' (Union Government, 1953).

Following the Bantu Labour (Settlement of Disputes) Act of 1953, at the beginning of the 1960s with apartheid in force for more than a decade, black and white workers' wages were highly differentiated. This wage disparity led Steenkamp (1962: 100) to make the observation that whilst 'the average wage differential between unskilled and skilled wages in Europe varied between 20 and 30 per cent of the former, in the Republic it ranges between 400 and 600 per cent'.

Many writers analysing wage levels during this period provide evidence of low black wages when compared to both the wages of white workers and against the PDL. As Curtis (1984: 381) points out 'in the post-World War II period, South African capitalism is considered by many to have been reproduced on the basis of 'cheap' African labour'. Many social historians have argued and affirmed this point (Wolpe, 1972; Wilson, 1972; Johnstone, 1976). The following tables capture the levels and trend of black workers' wages.

Table 1. Average Annual Wages per employee in Private Manufacturing Industry for South Africa as a whole. 1937/38 to 1959

	Average annual money wages per worker		Average annual real wages per worker at constant (1938) prices	
	White	African	White	African
	£	£	£	£
1937/38	170	46	170	46
1945/46	380.6	96.1	283.9	71.6
1953/54	705.1	144.5	360.2	73.8
1959	882.4	164.8	397.5	74.2

Source: *Census of Industrial Establishment* and *Monthly Bulletin of Statistics*

Source: Katzen (1961: 196)

Table 2. Average Monthly Wage Rates for Whites and Bantu in Mining, Manufacturing and Construction: 1959/60 and 1970 (figures in Rand)						
Sector	Whites			Bantu		
	1959/60	1970	per cent increase	1959/60	1970	per cent increase
	R	R		R	R	
Mining	192	365	90	12.50	18.30	47
Manufacturing	158	307	94	28.60	52.00	82
Construction	158	325	104	26.80	50.00	86

Source: Spandau (1972: 271)

Table 3. Average Monthly Wages for Africans in Manufacturing and the Poverty Datum Line, 1950-81			
Year	Poverty Datum Line in Johannesburg	Monthly Wage	Monthly Wage as % of P.D.L.
1950	35.5	20	56
1958-9	48.4	28	58
1971	64.4	56	87
1978	161.19	149	92
1981	271.71	255	94

Source: Curtis (1984: 387)

The segregation and apartheid era Wage Boards operating under the various Ministers of Labour wrote thousands of reports over the decades and issued determinations for specific industries or types of jobs occupied by mainly black workers.[13] These Boards held consultative

[13] See for example: Union Government, Department of Labour, 1932 Glass bevelling and silvering industry in the Union of South Africa, Wage determination No. 45, Government Printer, Pretoria; Union Government, Department of Labour**,** 1939 Meat trade, Port Elizabeth. Wage determination No. 83, Government Printer, Pretoria; RSA, Department of Labour 1973(a), Wage Board (South Africa) Report to the Minister of Labour by

meetings or hearings in the main industrial areas of South Africa. Employers, workers or their representatives could attend and voice their views but there was a critical restriction: the Wage Boards had to 'take account of the payability of industries in which it submits reports' (Katzen, 1961: 96) and, as these Boards were 'guided more by the principle of industry's 'ability to pay' the employers were likely to have the advantage in presenting their case' (Katzen, 1961: 211).

It is apparent that the Wage Boards succeeded in accomplishing the political role of retaining black wages at low levels at the height of apartheid. Analysis shows that the Wage Boards failed to provide a sound framework for regular and predictable negotiation and presentations on the matter of wages for the workers that Wage Boards were designed to provide a channel for. There were cases in which 'the interval between one Wage Board determination and the

Division B of the Wage Board: liquor manufacturing industry, Department of Labour, Pretoria; RSA, Department of Labour 1973(b), Wage Board (South Africa) Report to the Minister of Labour by Division A of the Wage Board: cement manufacturing industry, amendment of Wage determination 359, Department of Labour, Pretoria; RSA, Department of Labour, 1973(c), Wage Board (South Africa) Report to the Minister of Labour by Division B of the Wage Board: bread and confectionery industry, certain Transvaal areas and Sasolburg, Department of Labour, Pretoria; RSA, Department of Labour, 1974(a), Wage Board (South Africa) Report to the Minister of Manpower Utilisation by Division B of the Wage Board: tea, coffee and chicory industry, certain areas, Department of Labour, Pretoria; RSA, Department of Labour, 1974(b), Wage Board (South Africa) Report to the Minister of Labour by Division B of the Wage Board: private hotel and boardinghouse trade, certain inland areas, Department of Labour, Pretoria; RSA, Department of Labour, 1974(c), Wage Board (South Africa) Report to the Minister of Labour by Division B of the Wage Board: fish processing industry, certain areas. Department of Labour, Pretoria; RSA, Department of Labour, 1975, Wage Board (South Africa) Report to the Minister of Labour by Division B of the Wage Board: woodworking industry, Republic of South Africa, Department of Labour, Pretoria; RSA, Department of Labour, 1976(a) Wage Board (South Africa) Report to the Minister of Labour by Division B of the Wage Board: meat trade, certain Natal areas and Pretoria, Department of Labour, Pretoria; RSA, Department of Labour, 1976(b) Wage Board (South Africa) Report to the Minister of Labour by Division A of the Wage Board: rubber and rubber products manufacturing industry, certain areas, Department of Labour, Pretoria; RSA, Department of Labour 1977 Wage Board (South Africa), Report to the Minister of Labour by Division A of the Wage Board: glass and glassware manufacturing industry, Amendment of Wage Determination 345. Department of Labour, Pretoria.

next has been as long as fifteen years with considerable increases in the cost of living in the interim' (Katzen, 1961: 211)and the determinations were 'infrequent and piecemeal' (Katzen, 1961: 211).

During the apartheid era, those who called and fought for better wages for black workers, including the ANC and worker organizations such as SACTU, grounded their arguments, in part, on the PDL. During this period:

> 'The need for a sharp increase in the wages of the unskilled and lower semiskilled workers … [was] … usually demonstrated by comparing estimated average non-European family earnings with what are regarded as the minimum urban subsistence requirements of a non-European household by way of food, clothing, housing, fuel and lighting, cleaning materials, transport and taxes alone.' (Steenkamp, 1962: 21)

The 'minimum urban subsistence' referred to by Steenkamp (1962) was the PDL. The conceptualisation, definition and measurement of poverty among blacks became more and more constructed and seen in these terms.

Studies on the PDL and black wages by different organisations abound during this period. Examples are many. In December 1959, the Department of Economics at the University of Natal published '*A survey of Bantu income and expenditure in Durban'* as 'the research unit in this department first became involved in PDL studies in 1958' (Ellison et al, 1975: i). In 1960, the Council for Scientific and Industrial Research (CSIR) conducted *'The survey of African incomes in five cities' (Cape Town, Durban, Port Elizabeth, Vereeniging and Germiston).* This survey 'showed that from 1/3 of the households (in Cape Town) to 2/3 (in Germiston and Port Elizabeth) had "negative rent margins" and that is to say that these households would be below the PDL even if they did not have to pay rent at all. In the same year, Joy de Gruchy working under the auspices of the South African Institute of Race Relations (SAIRR), published *'The*

cost of living of urban Africans'. In 1961, the Bureau of Market Research at the University of South Africa issued *'Income and Expenditure Patterns of Urban Bantu Households – Pretoria Survey'* (De Coning, 1961).

The common and rising utilisation of the PDL to define poverty among blacks is further evident when the ANC used the PDL in arguments in the fight for social change. In 1959 the ANC, submitted a Memorandum to the United Nations on the 'Question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa'. In this memorandum the ANC made the argument that:

> 'African people are generally paid extremely low wages. An investigation by the Institute of Race Relations in Johannesburg showed that the poverty datum line for a family of five in Johannesburg in 1954 was £23.10.4. Since then costs have risen. It is now estimated that £27-10-0 is the poverty datum line. On this basis, it was found that 87% of the African families in Johannesburg were living below the bread line. Average income in Johannesburg is £15-18-11 … Not only is the Government not interested in speeding up the rise of African wages but it does everything to keep them depressed.' (ANC, 1959)

The use of the PDL as a wage setting standard was not, it appears, a sudden attraction and imposition by the apartheid state or industries. The transformation and ascendancy of the PDL from a poverty measure to a wage setting standard was gradual. Analysis of the use of the PDL shows that the PDL moved from researchers to reformers and advocates calling for a better deal for black workers and their families to political organisations such as the ANC and trade unions fighting for the recognition of the rights of black people as citizens as well as workers. Research and studies on poverty using the PDL show that the linking of black wages to the PDL became established in the 1950s, 1960s and 1970s.

Other than the studies and analysis of the PDL by the Department of Economics at the University of Natal, the CSIR, the Bureau of Market Research at the University of South Africa, Joy de Gruchy and the Race Relations Surveys of the SAIRR in the 1950s, 1960s and 1970s referred to above, there were other key studies conducted on the PDL and black wages. In 1966 HL Watts conducted and published in 1967 *'The poverty datum line in three cities and four towns in South Africa'* (Watts, 1967). This study by Watts was later replicated by the Institute of Planning Research (University of Port Elizabeth) in the early 1970s. The approach and methodology by Watts (1967) went on to be adopted by JF Potgieter at the Institute for Planning Research in the formulation of the Household Subsistence Level. The HSL remains one of the main definitions and measurements of poverty in the post-apartheid democratic period (see Chapter 5). In 1973, PN Pillay, published 'A poverty datum line study among Africans in Durban' which the author viewed as a 'study relating to a very topical subject: the Poverty Datum Line' (Pillay, 1973, i).

The original association of the PDL and levels of wages of black workers was intended to demonstrate the low levels of black wages based on the established fact that the PDL itself represented the barest minimum. This fact, coupled with the other apartheid policies and practices, made conditions of living of black people unacceptable to those who wanted to reform or radically change the country's political and economic system.

For example, during the 1957 Transvaal Bus Boycott, studies of poverty using the PDL were a point of reference and part of the arguments that transport was unaffordable for poorly paid workers.

> ‘At the time the Bus Boycott was initiated, the average minimum wage for African workers amounted 11 0s. 0d. per month. SAIRR surveys in 1953 and 1954 revealed that the essential minimum expenditure for an African family of five in Johannesburg was 23 1 0s. 4d., but that the total income of an urban African family of five averaged no more than 15 18s. I ld. By 1957, the situation had deteriorated.’ (Luckhardt and Wall, 1980: 76)

In exile, the chief leader of the ANC, Oliver Tambo, made reference to the PDL and its link to wages of black workers. Oliver Tambo delivered a speech in which he referred to the PDL and also described what this poverty measure essentially meant and stood for. This was at a time when there was an exposé of British companies in South Africa that were paying low starvation wages to black workers. In 1973, the Guardian newspaper published a series of articles by Adam Raphael which exposed the extremely low wages paid to black workers in South Africa (Raphael, 1973a, 1973b, 1973c; Guardian (1973). Referring to the outcry on ‘starvation wages’ in the British Press, in his speech, Tambo stated that:

> ‘It is in this context that we should question the prevailing view that British companies could and should prove to be "good employers" and attempt to increase wage levels to what is called the Poverty Datum Line or the Effective Minimum Level. This indeed appears to be the line of the enquiry taken by the House of Commons Select Committee. And several of the suddenly conscience-stricken companies whose exploitative policies have been exposed by the strikes in South Africa and reports in the British press also appear eager to increase wages to within the range of the national Poverty Datum Line (PDL). What is the Poverty Datum Line? It is in fact no more than the theoretical minimum income regarded as necessary for an African worker and his family to avoid death through starvation. It is to this minimum level which British companies are now being urged to increase wages. The PDL and other similar concepts to standardise wage rates should be seen for what they are. They are derived from the concept that African wages should not move outside the minimum level necessary for the worker to reproduce his labour and to survive - a concept which ruled in nineteenth century England before the rise of trade unions.’ (Tambo, 1973)

The PDL as the point of reference and central focus on wages of black workers and poverty is amply illustrated by the perspective and approach taken by the House of Commons Select Committee that was assigned the task to investigate the public outcry against extremely low

wages paid to black workers in South Africa by British firms. One of the recommendations of this committee, couched in the language of the PDL, was that:

> 'No British firm in South Africa should pay adult male African employees wages below the appropriate Poverty Datum Level, and that all firms should aim within a set timetable to pay minimum wages equal to the Minimum Earnings Level broadly equivalent to the Poverty Datum Level plus 50 per cent. Elsewhere the Report rightly stresses the responsibility of parent firms for the employment practices of South African affiliates. These are the basic lessons of inquiry and it is now for industry to put them into practice.' (Parliament of the United Kingdom, House of Commons Select Committee, 1974)

The beginning of the 1970s saw yet another concerted effort to make the PDL more central to the politics of black wages and poverty. Taking the PDL and black wages fixed through Wages Boards as their primary focus, university students under the National Union of South African Students (NUSAS), at what was then white English speaking universities, established Student Wages Commissions on campuses. These Wages Commissions gathered and collected data and information and conducted analysis comparing black wages to the PDL and worked with workers to take research statistics as evidence of 'starvation wages' to Wage Board sittings. This was designed to provide workers with valid factual information to argue against employers. These students' efforts started at the University of Natal in Durban. Davie (2007) in the article *'Strength in Numbers: The Durban Student Wages Commission, Dockworkers and the Poverty Datum Line, 1971-1973',* gives these developments in the history of workers' struggles in South Africa an insightful analysis. She writes:

> 'In the early 1970s, student activists in Durban fashioned academic data into a tool of political mobilisation. In 1971, a group of white students at the University of Natal, Durban (UND) founded a Student Wages Commission in order to investigate the problem of 'starvation wages'. Soon after, the National Union of South African Students (NUSAS) voted to establish Wages Commissions on all five English-speaking campuses in South Africa. Together, the Wages Commissions sought to make academic cost-of-living data accessible and useful to underpaid labourers. Students established a newspaper for workers, distributed incendiary pamphlets, publicised quantitative research on poverty and urged workers to attend meetings of the Department of

> Labour's Wage Board … By persuading workers to base their demands on the Poverty Datum Line (PDL) – a quantitative measure of minimum needs first defined in the late 1930s by social surveyor Edward Batson at the University of Cape Town – student activists altered the existing terms of debate about low wages and made it more difficult for employers and officials to dismiss workers' demands as irrational or arbitrary.' (Davie, 2007: 401)

This was a time when studies on the PDL and minimum incomes needed by black families to survive were published. The wave of strikes that engulfed the country in the early 1970s highlighted the issue of black wages as workers demanded better wages. These strikes in the early 1970s sprang up following a period of acquiescence after the Sharpeville massacre ten years earlier, the banning of the ANC, South African Communist Party, South African Congress of Trade Unions and the Pan-Africanist Congress with political leaders and workers' leaders in jail or in exile. Inside the country political activity, if any, was limited and largely inconsequential. Apartheid was at its height with the homeland policy and the creation of a white Republic of South Africa pursued with vigour through forced removals, influx control and pass laws. The Student Wages Commissions with the many researchers investigating the PDL managed to make the issue of black wages measured against the PDL a national issue. In this period 'black trade unions began to draw on poverty statistics in wage negotiations' and 'with workers now pegging their demands to the PDL, and the media bringing the problem of low wages into the public eye, the terms of debate about poverty in South Africa began to shift' (Davie, 2007: 412).

> 'Seeking to further justify the use of the PDL as a wage-setting device, students cited the words of former Wage Board chairman, Professor W.F.J. Steenkamp. In 1962, Steenkamp had predicted that all urban African households could be lifted above the PDL by the end of the decade if the GDP continued to climb. Although South Africa's economy was booming, students noted that 60 per cent of Durban's households still lived below the PDL.' (Davie, 2007: 416)

This rising of factory workers with demands for better wages using the PDL as a point of reference on the levels of wages, caught the attention of employers. And they responded. The PDL, if ignored or seen as peripheral by South Africa's industrialists and employers before the national wave of strikes, suddenly gravitated to the centre of negotiations over wages between workers and employers through the work of the Wage Boards. At this juncture in the history of apartheid South Africa, the PDL became the angle from which the issue of black wages was seen and considered by employers. The PDL subsequently became the standard against which black wages were set. Research and analysis on the PDL which was carried out by the Institute for Planning Research at the then University Port Elizabeth contributed the most and was influential in this regard. This is discussed in Chapter 5. The Institute of Planning Research, under the leadership of JF Potgieter, renamed the PDL and called it the Household Subsistence Level (HSL). This key point, in the context of the definition and measurement of poverty in post-apartheid democratic South Africa is further elaborated on in the next Chapter.

4.6 Concluding remarks

This Chapter has outlined the origins of the PDL introduced by Batson in the 1940s as a measure of poverty. The PDL represented the barest minimum and stood for 'existence at the lowest possible level'. It was this meanness and the objective nature of the PDL in its contents and calculation that Batson set out to highlight its use for the sole purpose of showing that there were many South Africans of all race groups that lived below this most minimalist of poverty lines. There were other key players such as the SAIRR that conducted annual surveys that contained analysis and indications of black workers' wages against the PDL and the number of black families living below the PDL. In the apartheid era the PDL was appropriated by the state and employers through the Wage Boards and wage determinations as a standard against

which the wages of black workers were set. The fact is that the wages of black workers were below the PDL indicating the use of cheap black labour on which the apartheid economy was built as argued by many economic historians. The low levels of black wages over decades is one of the explanations of the multi-dimensional poverty among blacks in post-apartheid South Africa.

Further, this Chapter has illustrated the connection between citizenship and poverty. In the points and analysis in the discussion, poverty in the black population, which was excluded from full citizenship rights, was defined in a manner and using a poverty line or yardstick that entrenched rather than alleviated poverty.

Chapter 5 Definitions and measurement of poverty during the apartheid era in South Africa: Derivatives of Batson's PDL

5.1 Introduction

This chapter considers the development of the PDL into a proliferation of poverty lines in the apartheid era. The most prominent of these poverty lines are the HSL (developed at the Institute of Planning Research at the University of Port Elizabeth) and the MLL (developed at the Bureau of Market Research at the University of South Africa). Conceptual convergence and similarities between Batson's PDL and the HSL and MLL are raised and highlighted. The HSL and the MLL were created in 1974 with the express objective of wage setting (Potgieter, 1972a; Potgieter, 1982; Potgieter, 1983; Nel, 1973; Nel, 1974a). This was at a time when there were national strikes by black workers against low wages. These definitions of poverty were pivotal in the arguments and counter-arguments by those who wanted to keep the wages of black workers low and those who were advancing empirical facts that black wages were low.

Whilst the Institute for Planning Research and the Bureau of Market Research were central in shaping the definition of poverty in this period, there were other actors as well whose work further embedded the PDL in the South African context. The Chapter also covers the Second Carnegie Inquiry into Poverty and Development in Southern Africa. This inquiry stands as a

high point in capturing the nature, causes, geographic patterns and social outcomes of poverty among blacks in South Africa (Wilson and Ramphela, 1989). The Second Carnegie Inquiry was undertaken by scholars and researchers who were part of the progressive forces fighting to end apartheid. However, as will be demonstrated, the studies and analysis of poverty in the many articles produced as part of the work of the Inquiry, used and relied on the HSL and the MLL which were established and commonly used during the apartheid era. Finally, the Chapter considers the analyses of poverty in the Project for Statistics on Living Standards and Development (PSLSD) and the *Key Indicators of Poverty in South Africa Report.* These two studies and analyses of poverty became the bridge for the introduction and inception of apartheid era poverty definitions and measurement in the post-apartheid democratic era.

5.2 The development of the Household Subsistence Level

The University of Port Elizabeth's Institute for Planning Research undertook research that replicated Batson's PDL under the leadership of JF Potgieter. In February 1972, the Institute for Planning Research published *'The Poverty Datum Line in Port Elizabeth, Uitenhage and Despatch'* (Potgieter, 1972a). This study, in terms of its methodology, acknowledges that it is based on the same approach and procedure adopted by HL Watts in *The Poverty Datum Line in Three Cities and Four Towns in South Africa* undertaken in 1966 (Watts, 1967). At the time Potgieter conducted the study in Port Elizabeth, Uitenhage and Despatch, Watts's study published in 1967 was the 'most recent' (Potgieter, 1972a: 2). It is worth to briefly review Watts's (1967) study in order to highlight key differences with the Potgieter (1972a) study. Watts was a close colleague of Batson and was influenced by Batson's PDL (Watts, 1967).

In the late 1950s and early 1960's Watts and Batson had collaborated on research projects at the CSIR.[14] As Watts (1967) affirms:

> 'Following on Batson's work, the South African Council for Scientific and Industrial Research conducted poverty surveys to measure rent-paying ability in five towns. This work, undertaken after the second World War, was in close collaboration with Batson and essentially used his methods.' (CSIR, 1960)

Watts (1967: 2) cites the publications of the PDL by the SAIRR which were 'essentially along the lines of Batson's work and represent the application of his methods in a particular area'. The following figures are provided for the Primary Poverty Datum Line (PPDL) in Watts (1967).

Table 4: Primary Poverty Datum Line per month (1966)	
Johannesburg	R50.29
Pretoria	R48.37
Durban	R53.72
Springs	R49.77
Benoni	R49.77
Witbank	R51.24
Greytown	R58.74

Source: Watts (1967: 24).

According to this study the PPDL is calculated by 'taking together the components of food, clothing, fuel and lighting, and washing and cleansing materials' and the 'Secondary Poverty Datum Line can be obtained by adding the cost of rent and transport of workers to and from work' (Watts, 1967: 9-10).

[14] In the 1950s Batson worked for the Council for Scientific and Industrial Research (Watts, 1967; Davie 2007).

Referring to the above table, Watts (1967: 3-4) raises the fact that 'the tables for the Primary Poverty Datum Line were aimed at establishing the cost of living of Bantu in the three cities and four towns chosen' and, 'however, because the theoretical minimum for human beings is the same irrespective of race, these figures provide a guide for any racial group living in the towns concerned'. In order to arrive at a monetary value for the food component of the PPDL Watts (1967) relied on the Daily Food Rations for Adults for persons of various age and sex groups published by the Department of Agricultural Technical Services in Pretoria. Watts's list included skimmed milk powder, meat/fish, dried beans/peas, potatoes, fresh vegetables, margarine, oil, brown bread, mealie meal, samp/mealie rice, sugar, coffee/tea and salt. Watts (1967) ends his analysis with the observation and plea that:

> 'The Poverty Datum Line also provides a theoretical basis for determining minimum wage levels. The Secondary Poverty Datum Line must be used for this purpose, and not the Primary Poverty Datum Line which excludes the very important factors of rent and transport to and from work. However, a far more desirable level to be used in determining minimum wages would be the minimum effective level, and this is commended for serious considerations[15].' (Watts, 1967: 26)

Whilst the study and analysis of Watts (1967) did shape the work of the Institute for Planning Research in terms of methodology and approach, there were, however, major theoretical differences between HL Watts and what came to be the approach and views of the Institute for Planning Research on the poverty issue and its measurement in the apartheid era. These differences are discussed later in the Chapter.

[15] The Minimum Effective Level represents 150% of the PDL and corresponds to what Batson called the 'Effective Minimum Income' (Batson, 1942b: 33).

The first three research reports from the Institute on the PDL and the first Fact Paper on the Household Subsistence Level and the 'Background and Interpretation of the Household Subsistence Level' from the Institute are presented here and discussed in detail. It is in the detail of the various reports and publications from the Institute for Planning Research that the analysis is able to show that the Household Subsistence Level is, conceptually and in its constituent components, exactly the same as Edward Batson's PDL. The main difference was in the selective calculation and application of the HSL to Coloureds and Africans only.

The reasons for the detail presented here are the following. First, these reports capture the prevailing political and economic context and the issue of poverty among blacks and the standard for the setting of black wages and the wage determinations by the state through Wage Boards. Second, and this is of paramount relevance to the discussion here, these reports show how the terminology and phrase 'Poverty Datum Line' was abandoned by Potgieter at the Institute for Planning Research, in preference for the 'Household Subsistence Level'. This shift from the PDL to the Household Subsistence Level occurred in terminology only as the components of both the PDL and the Household Subsistence Level remained exactly the same, with the crucial difference that there was variation in the food component for Coloureds and Bantu as different food types and quantities were utilised for each of the two race groups.[16]

[16] See Tables below for the calculated monthly diet for persons of various age and sex groups for Bantu and Coloureds.

In the Preface of the first research report, *The Poverty Datum Line in Port Elizabeth, Uitenhage and Despatch* (Potgieter, 1972a) the PDL is presented as a 'technique for describing the theoretical minimum cost of living' and that 'such a technique could serve as a useful yardstick in determining basic wage levels'. The report goes on to state that 'this project was originally inspired by a number of industrialists who approached the Institute in this regard'. The report lists British United Shoe Machinery, Phillips Carbon Black Company, the Goodyear Tyre and Rubber Company, Pioneer Motors, Shatterprufe Safety Glass Company, the South African Breweries and Volkswagen of South Africa as sponsors. As the author maintains, the report is 'intended mainly for employers in Port Elizabeth, Uitenhage and Despatch and it is hoped that the tables and the example given in the text will provide them with a basis for comparison with existing wage scales'. The benefits and advantages of the PDL are highlighted and given as:

> 'The Poverty Datum Line is calculated for relatively small areas, for example towns or cities and their environs, and in this way accounts for local price fluctuations which are largely ignored by other techniques. This is an extremely important factor in favour of the Poverty Datum Line, since one aim of any measure of poverty is to provide local employers with an approximate figure upon which to base minimum wage-scales.' (Potgieter, 1972a: 1)

In the research report, the author in answering the question 'what is the Poverty Datum Line?' provides this definition and description:

> 'The Poverty Datum Line may be defined as an estimate of the income needed by an individual household if it is to maintain a defined minimum level of health and decency. The Poverty Datum Line is calculated at the lowest retail cost of a budget of necessities, comprising: (i) that quantity and variety of food which, taking into account age and sex, would provide for each member of the household the palatability and the calorific, protein, fat and vitamin content calculated by dietetic experts to be necessary for health, taking into account the established food customs of the community; (ii) the minimum of fuel and lighting compatible with health, taking into account the availability thereof and the established customs of the community; (iii) the minimum of clothing necessary for protection of health and conformity with standards of decency; (iv) the minimum of cleaning materials, for personal and household use, compatible with health; (v) the cost

> of transport for earning members of the household between the home and the work place; and (vi) the cost of housing (emphasis in original).' (Potgieter, 1972a: 3)

Potgieter (1972a) in this study differed with Watts (1967) when it came to the 'distinction between Coloured and Bantu dietary requirements'. He went on to point out that:

> 'The 1967 study made use of a single Daily Food Ration table as compiled by the Department of Agricultural and Technical Services to derive basic dietary requirements, irrespective of race. The Department has since revised this data, however, and the resulting separate tables, one for Bantu and the other (containing fewer starchy staples and including eggs, oranges, cheese and condiments) for Coloureds, were employed in this study.' (Potgieter, 1972a: 6)

Whilst according to Watts (1967) his calculations of the PDL were to provide 'a guide for any racial group living in the towns concerned', Potgieter (1972a) agreed with and adhered to the revised different racialised dietary requirements from the Department of Agricultural and Technical Services. This choice is made without providing cogent reasons why persons of the same sex, age, height, weight and social habits, living within a few kilometres of each other in the same geographic region, being members of the same society, in the same country, but placed in different race classifications according to the South African Population Registration Act, will require diets that are different in content and quantity. This marks an explicit racialisation of Batson's PDL. This practice in the calculation of the PDL continued in the work of the Institute for Planning Research for decades including the post-apartheid period. The last report on the HSL from the Institute is Potgieter (1997) *The household subsistence level in the major urban centres of the Republic[s] of South Africa and Namibia*.

The Institute's racialised dietary requirements for Bantu and Coloureds were as follows (Tables 5 and 6):

Table 5: Minimum monthly diet, in grams, for persons of various age and sex groups: Bantu									
ITEMS	Adult Male22-35 yrs	Adult female 22-35 yrs	Child 3 yrs and less	Child 4-6 yrs	Child 7-9 yrs	Boy 10-13 yrs	Girl 10-17 yrs	Boy 14-21 yrs	Girl 18-21 yrs
Skimmed Milk Powder	1200	1200	1200	1200	1200	1200	1200	1200	1200
Meat / fish	1650	1650	1650	1650	1650	1650	1650	1650	1650
Dried beans/peas	1650	1650	900	900	900	1650	1650	1650	1650
Fresh vegetables	8250	8250	4950	4950	6750	8250	8250	8250	8250
Margarine	600	600	450	450	450	600	600	600	600
Oil	210	210	120	120	120	210	210	210	210
Brown Bread	5100	5100	2550	2550	2550	5100	5100	5100	5100
Mealie meal/samp	12300	6000	3000	5100	8100	11100	8700	13200	6000
Sugar	1350	900	450	900	900	900	900	1200	900
Coffee/Tea	210	210	-	-	120	120	120	210	210
Salt	450	450	90	90	210	210	450	450	450

Source: (Potgieter, 1972a: 11)

Table 6: Minimum monthly diet, in grams, for persons of various age and sex groups: Coloureds									
ITEMS	Adult Male22-35 yrs	Adult female 22-35 yrs	Child 3 yrs and less	Child 4-6 yrs	Child 7-9 yrs	Boy 10-13 yrs	Girl 10-17 yrs	Boy 14-21 yrs	Girl 18-21 yrs
Skimmed Milk Powder	1200	1200	1650	1650	1650	1650	1650	1650	1650
Meat / fish	3300	2400	900	1200	1800	2400	2400	3300	2400
Fresh vegetables	11700	9900	4950	4950	9900	11700	9900	11700	9900
Oranges	-	-	3300	3300	3300	-	-	-	-
Margarine	1500	900	600	900	1050	1500	1350	1650	1050
Oil	300	300	120	120	300	300	300	300	300
Brown Bread	9600	6600	4200	6000	7800	9600	8700	10800	7200
Mealie meal/samp	4050	2250	1650	1950	3150	3750	3150	4050	2250
Sugar and Jam	3750	3000	450	600	1200	2700	1800	2850	1800
Cheese	214	214	214	214	214	214	214	214	214
Eggs	472	472	600	600	472	472	472	472	472
Dried Beans/Peas	1500	900	429	472	900	1071	1071	1500	1050
Coffee/Tea	215	215	-	-	128	128	128	128	128
Salt	128	128	64	64	64	128	128	128	128
Spices and Condiments	171	171	171	171	171	171	171	171	171

Source: (Potgieter, 1972a: 12)

Calculations of the PDL for Bantu and Coloureds in Port Elizabeth, Uitenhage and Despatch, which is separated into the Primary and Secondary Poverty Datum Line yielded the figures in Table 7.

Table 7: Primary and Secondary Poverty Datum Lines, November 1971, Port Elizabeth, Uitenhage and Despatch		
Primary Poverty Datum Line	Port Elizabeth	Uitenhage and Despatch
a) Bantu	R56.03	R56.03
b) Coloureds	R59.25	R59.25
Secondary Poverty Datum Line		
a) Bantu	R63.98	R64.41
b) Coloureds	R73.68	R70.43

Source: (Potgieter, 1972a: 19)

Similar to Watts (1967), Potgieter (1972a) preferred the Secondary Poverty Datum Line to the Primary Poverty Datum Line in wage setting. As the author states, referring to the calculations and results, 'the above figures may serve as a guide to employers for determining minimum wage levels, in which case it must be stressed that it is the Secondary Poverty Datum Line (including rent and workers' transport) that should be used for this purpose (Potgieter, 1972a: 23).

This first research report from the Institute, was 'originally inspired by a number of industrialists who approached the Institute' (Potgieter, 1972a: Preface). It was written with the objective of showing 'how the Poverty Datum Line may be used as a yardstick in determining minimum wage levels' (Potgieter, 1972a: Preface). The report represents the early stages of the direct link and connection between industrialists searching for a 'scientific' measure and basis for arguments to retain wages of black workers at low levels. This happened with the support of the apartheid state through wage determinations set by the Minister of Labour from recommendations of the Wage Boards. On the one hand there was the three way connections and collaborations between researchers on the PDL, employers in South Africa governed by

the official wage determinations, and the apartheid state pursuing racial discrimination. On the other hand were black workers fighting for better wages in a political and economic context in which they were denied civil, political and social and economic rights. The Wage Boards were still the only legislated space and terrain between employers, black workers and the government on negotiations on wages.

The next report from the Institute for Planning Research extended the research from the one city and two towns to include East London and King William's Town. The aims of the report are presented as 'to update the Poverty Datum Line for Port Elizabeth, Uitenhage and Despatch' and 'to calculate the Poverty Datum Line for East London and King William's Town for August 1972' (Potgieter, 1972b: 3). The report, it is stated, is 'intended mainly for employers in Port Elizabeth, Uitenhage and Despatch, East London and King William's Town and it is hoped that the tables and the example given in the text will provide them with a basis for comparison with existing wage scales' (Potgieter, 1972b: Preface). The methodology, content and structure of this report are the same as in the first report covering Port Elizabeth, Uitenhage and Despatch only. The Primary Poverty Datum Line and the Secondary Poverty Datum Line for Bantu and Coloureds in these towns are presented in Table 8.

Table 8: Primary and Secondary Poverty Datum Lines, August 1972: Port Elizabeth, Uitenhage and Despatch, East London & King Williams Town

Primary Poverty Datum Line	Port Elizabeth	Uitenhage and Despatch	East London	King Williams Town
a) Bantu	R59.56	R59.56	R66.37	R62.30
b) Coloureds	R63.06	R63.06	R72.37	R68.11
Secondary Poverty Datum Line				
a) Bantu	R69.51	R67.94	R76.48	R67.51
b) Coloureds	R78.00	R76.22	R85.25	R73.32

Source: (Potgieter, 1972b: 33)

Following on from the above calculations of the PDL, the Institute extended its work to major urban centres of South Africa. The extension to the major urban centres was at the request of industrialists. The PDL as calculated by the Institute, moved from economically peripheral cities and towns of South African industries to occupy the centre stage on national wage setting. This happened at a time when one of the main and urgent national concerns was the low wages paid to black workers. The *Poverty Datum Line in the Major Urban Centres of the Republic* (Potgieter, 1973a) continued the practice started with the two earlier PDL analyses. The use of the PDL in wage setting is presented and stated in a much bolder manner. As in the other research reports, the PDL is presented as a technique for describing the theoretical minimum cost of living. The author then states that:

> 'As such, the technique is used to describe minimum living levels of the poorer sections of a community and, in this country, has generally been confined to the Non-White population groups. The calculation is frequently considered as a useful indicator of basic or minimum wage levels and this, in fact, has been one of the major reasons for the Institute's concern with the subject.' (Potgieter, 1973a: Preface)

Linking the PDL and the wave of strikes for better wages by black workers and the search by industrialists for firm solutions, the author confirmed that:

> 'The increased concern with wage levels, and general related problems of labour unrest at a national level since then has focussed widespread attention on the Poverty Datum Line as a useful instrument in the context of determining wage levels. In response to appeals from industrialists in other parts of the country, the Institute decided to extend its investigations to other centres. Initially, the investigation has been confined to the main urban centres and this report represents the results of Poverty Datum Line surveys conducted during April, 1973, in the following centres: Cape Town, Johannesburg, Pretoria, Durban, Bloemfontein, Kimberly and Ladysmith.' (Potgieter, 1973a: Preface)

In the introduction of the report the PDL is presented as a fair yardstick for wage setting. It is stated in the report that the PDL is 'calculated for relatively small areas' and is a technique that

'accounts for local price fluctuations', and this is seen as 'an extremely important factor in favour of the Poverty Datum Line, since one aim of any measure of poverty is to provide local employers with an approximate figure upon which to base "fair"[17] or minimum wages' (Potgieter, 1973a: 1). The calculations and results of the PDL for Bantu and Coloureds in the major urban centres are presented as in Table 9.

Table 9: Primary and Secondary Poverty Datum Lines for the various centres: March / April 1973

	Coloured		Bantu	
	Primary Poverty Datum Line	Secondary Poverty Datum Line	Primary Poverty Datum Line	Secondary Poverty Datum Line
Cape Town	R71.30	R98,58	R66.13	R81.80
Port Elizabeth	R73.96	R89,86	R68.06	R78.58
East London	R73.13	R88,38	R66.43	R76,63
Kimberley	R76.18	R85,79	R71.00	R78,48
Durban	R71.72	R84,68	R66.66	R78,13
Pretoria	R69.50	R85,00	R63.14	R75,44
Johannesburg	R65.26	R83,00	R60.30	R74,68
Bloemfontein	R71.74	R78,79	R66.45	R74,55
Ladysmith	-	-	R65.21	R74,66
King William's Town	R70.53	R75,74	R63.75	R68,96
Uitenhage and Despatch	R73.96	R87,12	R68.06	R76,44

Source: (Potgieter, 1973a: 14)

[17] Word in inverted commas as in original

Potgieter summed up this report and went on to remind the intended users of the PDL figures that 'in using the Poverty Datum Line, however, it should always be borne in mind that it is at best a conservative estimate or a bare theoretical minimum' (Potgieter, 1973a: 61). He then cites, in full, Edward Batson's comment on what the PDL does not include and is omitted in its construction and calculation. He ends the report with the statement:

> 'In conclusion, I sincerely believe that to offer wages less than the PDL under present living conditions is inhuman, whatever the economic circumstances. At the same time, to adhere rigidly to the PDL only as a wage basis is unrealistic. I would recommend, therefore, in the interests of both employer and employee, that the PDL be used as a guide only, adjusted in the light of all relevant information concerning Non-White workers' patterns of income and expenditure and by closer consultation with, and knowledge of employee's circumstances.' (Potgieter, 1973a: 62)

In the same year Potgieter published under 'Notes and Comments: The Poverty Datum Line' in the South African Journal of Economics (Potgieter, 1973b) the same calculations of the PDL in the major urban centres contained in Table 9 above. In the article, whilst the note and comment is on the PDL, only the Secondary Poverty Datum Line figures are given and included in the table, thus indicating the authors' stated preference for the use of the SPDL in wage setting. However, the figures are referred to as the 'Poverty Datum Line'.

In the period after the wave of strikes, contestations and criticism were high among researchers investigating standards for wage setting including those who were conducting surveys using the PDL with the sole purpose of estimating poverty levels unrelated to the setting of wages. Some of the researchers, as is explained in this Chapter, introduced new or modified existing poverty measures. Three key bodies were involved in poverty research in the period: the Institute for Planning Research, the Bureau for Market Research at the University of Pretoria

and the Department of Economics at the University of Natal, each pursuing slightly different approaches. For example, Nel (1973) published the *'The minimum subsistence level and the minimum humane standard of living of Non-Whites living in the main urban areas of the Republic of South Africa'*. At the Department of Economics at the University of Natal, Pillay (1973) published '*A Poverty Datum Line study among Africans in Durban'* in which he made the point that 'a clear distinction should be made between the proper use of the PDL as a measure of poverty and its misapplied use as the basis for a minimum wage' (Pillay, 1973: 26).

In this context of disagreements, the Institute for Planning Research issued its report titled *'The Household Subsistence Level in the Major Urban Centres of the Republic'* in October 1973. In relation to the focus of this Chapter this report from the Institute is definitive. The report captures the actual and specific shift from the PDL to the Household Subsistence Level. This shift is not based on an interpretation or inference but comes directly from the Director of the Institute for Planning Research. In this report, JF Potgieter set out to deflect criticism of the work of the Institute and also to declare a new measure of poverty for wage setting. The author points out that:

> 'Certain aspects of the Institute's Poverty Datum Line have been criticised by, mainly, two academic organisations, viz., the Bureau of Market Research and the Department of Economics of the University of Natal.' (Potgieter, 1973c: 1)

This criticism is dismissed as 'unjustified and irrelevant' and in the view of the author 'it is not appropriate to enter an academic dispute in this report' as 'at some point in the future the Institute will reply to all points of criticism where this is justified' (Potgieter, 1973c: 1-2). In the report the point is made that:

> 'Suffice to say that the purpose of the Institute's PDL studies is not to present the results of an academic exercise, nor does it claim to be an accurate measure of the <u>actual</u>

> minimum requirements of every type of household. It was never intended to offer the PDL as anything more than the broadest guide for evaluating fair or minimum wage standards. The purpose was therefore to present a simple practical guide to commerce and industry, based on a theoretical concept.' (Potgieter, 1973c: 2)[18]

In a section headed 'The term "Poverty Datum Line"', attention is brought to the fact that 'the reader will notice that the term PDL has been replaced by the Household Subsistence Level' (Potgieter, 1973c: 3). Of primary relevance to the discussion and arguments in this Chapter, Potgieter states clearly that 'various individuals and organisations expressed their concern about the use of the word "Poverty", since it was not the intention to measure the extent of poverty at all' (Potgieter, 1973c: 3). The author elaborates further, thus:

> 'To use the Poverty Datum Line as the threshold below which poverty prevails, is erroneous. Its calculation certainly does not give a poverty level … It is therefore suggested that we in future move away from the negative connotation that the Poverty Datum Line implies. The term Poverty Datum Line (PDL) is therefore replaced by Household Subsistence Level (HSL) and the Effective Minimum Level by Household Effective Level (HEL), which are perhaps more apt.' (Potgieter, 1973c: 3)

Table 10 presents the figures for the newly declared Household Subsistence Level. This 'new' definition and measure of poverty, like the Institute's PDL, is still calculated for Bantu and Coloureds, and in the same major urban areas as the previous study. The difference from the 1973 *'The poverty datum line in the major urban centres of the Republic'* study is that 'due to several requests from industrialists' the October 1973 survey of the Household Subsistence Level includes South West Africa (now Namibia).

[18] Emphasis in original

Table 10: Household Subsistence Level for the various centres: October 1973 (PPDL and SPDL)				
	Coloured		Bantu	
	Primary Household Subsistence Level	Household Subsistence Level	Primary Household Subsistence Level	Household Subsistence Level
Cape Town	R74.55	R99.42	R70.54	R85.75
Port Elizabeth	R76.39	R92.29	R72.04	R82.56
East London	R76.95	R92.20	R70.54	R80.74
Kimberley	R74.34	R87.01	R69.20	R77.08
Durban	R77.25	R90.21	R71.67	R83.14
Pretoria	R78.30	R93.80	R72.41	R84.71
Johannesburg	R79.70	R97.44	R73.21	R87.59
Bloemfontein	R82.73	R89.78	R76.54	R84.64
Ladysmith	-	-	R70.88	R80.33
King William's Town	R80.48	R88.43	R72.47	R80.42
Uitenhage and Despatch	R76.39	R89.55	R72.04	R80.42
Windhoek	R81.42	R107.66	R73.50	R81.25

Source: (Potgieter, 1973c: 22)

It is worth noting that the above table refers to the PPDL and the SPDL in the heading but the body of the table uses the terms Primary Household Subsistence Level and Household Subsistence Level. The Institute for Planning Research went on to conduct field surveys every six months to update the Household Subsistence Level (Potgieter, 1988: 1).

5.3 A proliferation of poverty lines

Meanwhile, the work of the Bureau of Market Research on measurement of poverty among blacks and devising techniques for wage setting was led by PA Nel. In 1973 and 1974 the

Bureau of Market Research published the following reports: Nel, P.A. (1973) *'The minimum subsistence level and the minimum humane standard of living of Non-Whites living in the main urban areas of the Republic of South Africa'* Research Report No.33 published in May 1973; Nel, P.A. (1974a) '*The minimum and humane living levels of blacks in black homelands, white rural and border areas'*, Research Report No.42 published in February 1974; and Nel P.A. (1974b) *'The minimum subsistence level of non-whites living in the main urban areas of the Republic of South Africa'*, Research Report No.41 published in May 1974. At the University of Natal, the Department of Economics calculated the 'mean PDL'[19] for the Durban African community for March of 1971, 1972 and 1973' (Pillay, 1973: 14; Ellison et al, 1975: 7). PN Pillay led this work on the mean PDL.

Then, in 1973, in relation to poverty definition and measurement and the link to wage standards, available to employers was JF Potgieter's Household Subsistence Level, Nel's minimum subsistence level and the 'mean PDL' for Africans in Durban. As Pillay (1973: i) mentioned, the PDL calculated by his department had 'been adopted as the desirable minimum wage by so influential a body as the Natal Employers' Association'. Pillay (1973: 29) warned against the proliferation of studies claiming to use the same measure but coming up with different results as 'such studies tend to discredit the PDL in the eyes of management'.

[19] The 'mean PDL' was different to Potgieter's PDL which was based on a theoretical size of Black and Coloured households.

Attempts were made to create a uniform approach in measures of some level or standard for wage setting. A meeting was called in Pretoria 'to discuss the possibility of a uniform approach to this field of research' (Ellison et al, 1975: 8). As Potgieter (1988) states:

> 'A meeting of all research organisations in South Africa who are involved in this type of research, was held in Pretoria on 23 October 1974, on the initiative of the Bureau of Market Research, University of South Africa. The aim of the meeting was to see whether any mutual agreement could be reached on the basis for calculating a subsistence level. From this meeting, it appeared that there are two organisations in South Africa, viz., the Institute for Planning Research and the Bureau of Market Research, who undertake subsistence studies in more than one urban centre. The Economics Department of the Natal University confines its investigations to Durban. All the above bodies were represented at the meeting. Others present at the meeting included representatives from the Department of Health, the Medical Research Council, and the Chamber of Commerce, Johannesburg, who gave their views on specialised aspects such as dietary requirements.' (Potgieter, 1988: 26)

At the University of South Africa meeting in Pretoria, as Ellison et al, (1975: 9) explain, 'Potgieter decided that he was not in a position to change either his methodology or terminology and would therefore continue along the lines he had established'. Potgieter (1988: 35) confirmed this when he provided the explanation that 'whilst the BMR and Natal University decided on the term Minimum Living Level and Higher Living Level, the Institute preferred the terms Household Subsistence Level and Household Effective Level'.

Thus, by 1975, a year after the Bureau of Market Research meeting, the state of play with regards to research on subsistence or minimum levels for wage setting was, as per Ellison et al (1975), that:

> '(a) Potgieter calculates a Household Subsistence Level (HSL) and Household Effective Level (HEL) for the major urban centres for African and Coloureds. His calculations for Africans refer to a hypothetical household of 6 persons.
>
> (b) Nel calculates a Minimum Living Level (MLL) and Supplemental Living Level (SLL) for Africans, Coloureds and Indians in the main and certain other selected urban areas as well as for Africans in White rural areas and homelands. He provides figures

> for households ranging in size from 2 to 8+ persons as well as for the average-sized household.
>
> (c) The University of Natal's Department of Economics has calculated a MLL for Durban Africans only, the unit of calculation being a mean-sized household of 5,2 persons.' (Ellison et al, 1975)

The terminology of the Bureau of Market Research's measures were changed from terms such as Minimum Subsistence Level, Humane Standard of Living (Nel 1973, Nel 1974a, Ellison et al, 1975: 8) and High Living Level (Potgieter, 1988: 35) to Minimum Living Level (MLL) and Supplementary Living Level (SLL). Both the MLL and SLL continue to feature in the post-apartheid democratic era in poverty measurement.

The Department of Economics at the University of Natal discontinued its involvement in the calculation of the MLL. As Ellison et al (1975) state in the Preface of the 'The Poverty Datum Line Debate in South Africa: An Appraisal':

> 'This paper also marks the end of our participation in the calculation of the Minimum Living Level. Because of the fact that there are a limited number of university research personnel in South Africa, it is desirable that the overlapping of research be eliminated as far as possible … We therefore see no reason for duplicating the work presently being undertaken on a much wider geographic basis by the Bureau of Market Research, University of South Africa and the Institute of Planning Research, University of Port Elizabeth.' (Ellison et al, 1975: Preface)

In the midst of all the many different terms and calculations yielding different estimates of the poverty measures, the Institute for Planning Research published the '*Background and Interpretation of the Household Subsistence Level'* to address 'numerous inquiries from industrialists who were uncertain about the interpretation and practical application of these concepts as a guide in wage administration' (Potgieter, 1988: 3). For the purpose of the discussion here, this publication provides further illumination on the link between the PDL and

the Institute's Household Subsistence Level. The Introduction to the report opens with the explanation that:

> 'The Institute for Planning Research conducted its first Household Subsistence Level (HSL) survey in February 1972 under the title 'The Poverty Datum Line in Port Elizabeth, Uitenhage and Despatch'. Later that same year, the team was requested to repeat the survey but also to include East London and King William's Town. In March 1973, due to requests from a large number of companies throughout South Africa the survey was extended to cover all the major cities and a number of towns in the Republic as well as Windhoek in South West Africa. Since then the information has been updated every six months by means of field surveys. The series originally published under the title "Poverty Datum Line" was changed in 1974 to "Household Subsistence Level".' (Potgieter, 1988: 3)

The definition of this 'new' measure from the Institute is given as:

> 'The Household Subsistence Level may be defined as an estimate of the theoretical income needed by an individual household if it is to maintain a defined minimum level of health and decency in the short term. It is calculated at the lowest retail cost of a budget of necessities of adequate quality, comprising the total food, clothing, fuel, lighting and washing and cleansing materials required for each person, together with fuel, lighting and cleansing materials needed by the household as a whole, the cost of rent, and of workers transport … For comparative purposes, is most usually made for a hypothetical "average" family of six persons, since research has shown this to be an approximate overall mean household size for the black population of South Africa. For practical purposes this measure is widely accepted as applicable to the "normal" black family.' (Potgieter, 1988: 9)[20]

Potgieter acknowledges the fact that 'the HSL is based on the concept of the Poverty Datum Line' (Potgieter, 1988: 14). As the author explains, the key difference between the PDL and the HSL is that the Household Subsistence Level refers to a hypothetical "average" household, whilst a calculated PDL refers to an individual household (Potgieter, 1988: 13). The difference 'in name only' between the HSL and the PDL is captured in Wilson and Ramphele (1989). In

[20] Emphasis in original

a Table presenting the components and monetary value per month of the PDL and the HSL, the rand values for the two measures are exactly the same[21].

As regard the Minimum Living Level, in February 1975, after the University of South Africa meeting and the announcement of a new measure, the Bureau of Market Research published *'The minimum and supplemented living levels of non-whites residing in the main and other selected urban areas of the Republic of South Africa'* compiled by Nel, Dawson and Loubser (1975). After this publication, two different types of regular surveys are continued by the Bureau of Market Research. These are the Income and Expenditure Surveys among blacks that started in the early 1960s, as well as the post-1970s workers' strikes which is the Minimum Living Level (MLL) and its derivative the Supplemental Living Level (SLL) (Nel, 1975; Nel et al, 1975; Steenekamp, 1976; Steenekamp, 1977; Loubser, 1980; Nel, 1993).

The components of the MLL were food, clothing, washing and cleansing materials, fuel and light, accommodation, transport (work, school and shopping), medical expenses, education, replacement of household equipment and taxation (Ellison et al, 1975: 10). However, the actual monetary value of the MLL is lower than that of the HSL. This highlights the point that it is not only the number of items that counts but the allowance in quantity (and therefore monetary value) that is made for each item. When Ellison et al (1975: 12) compared the 'Measures for Durban Africans' in 1975 the rand value figures for the different poverty measures were as set out in Table 11 below:

[21] Wilson and Ramphele (1989), Table 1.01: Levels of poverty: definitions and statisctics, 1980-5, p 17.

Table 11: Measures for Durban Africans, 1975					
	Month	Lower measure		Higher measure	
		Term	Amount (R)	Term	Amount (R)
Potgieter	April	HSL	107.39	HEL	161.09
Nel	February	MLL	97.08	SLL	126.44
Natal (Econ.)	June	MLL	90.43	-	-

As the table shows the MLL rand values are lower than those of the HSL.[22]

Considering the items included in the MLL, the Bureau of Market Research included items such as accommodation, education and taxation for blacks in a country where the provision of education was organised according to race, where black households resided where the apartheid government dictated and where black workers had no formal representation and voice as workers or as citizens on the country's tax system. In terms of racial groups surveyed, the different surveys from the Bureau of Market Research coincided with and covered the new political geography of apartheid and included non-whites[23] working and residing in the Republic of South Africa and Africans in the apartheid created homelands. There are many examples of these surveys[24].

[22] The 1995 analysis in *Key Indicators to Poverty in South Africa* by the World Bank gave a level of the MLL at R164,2 per month and for the HSL the rand value is R251,1 per month, thus confirming the lower values of the MLL.

[23] Terminology used in the surveys

[24] For non-whites in the Republic of South Africa and Africans in the homelands examples of some of the surveys are: Steenekamp, J. J. A. (1976) Income and expenditure patterns of urban Black households in Umtata; Nel, P. A. (1975) Household expenditure in the Republics of South Africa, Transkei and Bophuthatswana by population and main expenditure group; Steenekamp, J. J. A. (1977) Income and expenditure patterns of Black households in Bophuthatswana; Loubser, M. G. (1980) Income and expenditure patterns of urban Black single households in the PWV area and the Durban complex; Nel, P. A. (1993) The Minimum and supplemented living levels of non-whites residing in the main and other selected urban areas of the RSA.

The use of the MLL as a national poverty measure in South Africa has, according to several writers, certain not insignificant challenges. According to Ligthelm (1993), the Bureau of Market Research is a research outfit geared towards gathering market intelligence mainly for commercial purposes. Hall et al (1993) and May (2000) commented that the MLL is generated mainly for the commercial sector in South Africa and its actual generation and calculation is not made public. When Hall et al (1993) conducted a regional poverty profile for the PWV (Pretoria, Witwatersrand, Vereenigeng) region as part of the 1993 Project on Statistics on Living Standards and Development (PSLSD) the Bureau of Market Research made their data available subject to the condition that the absolute value of the MLL not be made public. In libraries some of the publications on the MLL by the Bureau of Market Research are marked confidential. The SLL, also created by the Bureau of Market Research, over and above the MLL included 'more for each item and recreation/entertainment, personal care, pension, UIF, medical and burial contributions' (Wilson and Ramphele, 1989: 17).

5.4 The Second Carnegie Inquiry into Poverty and Development in Southern Africa

The surveys and calculations of the HSL and the MLL and the derivatives based on these poverty measures and their use in wage setting did not resolve the issue of low wages of black workers and extensive poverty in the black population. The mid-1970s saw a rise in independent black trade unions. As Maree (1987: 1) notes, the period from 1973 to 1976 'was a struggle for survival as the unions battled to obtain recognition in a hostile environment'. The Wiehahn Commission that investigated the matter of recognition of black workers trade unions was held in 1979. The issues of poverty among blacks, the struggle against repressive laws and practices and the exploitation of black workers through 'starvation wages' (Tambo, 1973; Davie, 2007) became central in the politics of South African society.

Research on poverty in the black population became another angle from which the urgent issues of the day were highlighted. As Davie (2007) observes:

> 'By the late 1970s, social scientists in South Africa were producing voluminous statistics about economic conditions in industrial areas, not so much to fulfil insular professional requirements, but because they had become embroiled in heated public debates about 'slave wages', corporate responsibility, divestment and how to measure decent and humane standards of living.' (Davie, 2007: 17)

Concerns with poverty in the black population in the period led to an extensive research-driven inquiry into this important issue. The Second Carnegie Inquiry into Poverty and Development in Southern Africa set out to record and analyse the multiple manifestations of poverty as well as consider actions towards the realisation of full citizenship rights for the black population. The inquiry saw the further utilisation of the HSL and the MLL in the definition of poverty in the work undertaken by researchers and writers on poverty in South Africa who were calling for the end to apartheid. This inquiry emanated from and was undertaken by progressive South Africans who were challenging the apartheid status quo. To begin the inquiry, a feasibility study was commissioned in January 1980. It was during this preliminary phase that:

> '… three important aspects of the Inquiry became abundantly clear. Firstly, that any study of poverty can only be truly meaningful if there is real inside understanding and participation of those communities that have to endure poverty. In the South African context where the vast majority of those who are poor are black, this means that, as far as possible, the centre of gravity of the Inquiry had to be black rather than white.' (Wilson and Ramphele, 1989: 17)

The Inquiry was based at the University of Cape Town and its national work was co-ordinated from there. As an outcome of the work of the Inquiry which ran over four years, a conference was held at the University of Cape Town in April 1984 where just over 300 papers

were delivered covering various aspects of poverty in South Africa (Wilson and Ramphela, 1989). The inquiry, organized around four research themes (education, the role of the church, public allocation of resources, food and nutrition), involved researchers at Southern African universities and members of civil society including lawyers, teachers, pastors, social workers, farmers, journalists and doctors. Out of the more than 300 papers delivered at the conference, the papers with a focus on poverty looked at its perceptions and definitions, area studies and the food and nutrition aspects.

Even with the realisation that 'the centre of gravity of the Inquiry had to be black', when it came to measuring poverty the research papers that tried to quantify poverty used the established measures, the MLL and the SLL from the Bureau of Market Research and the HSL and HEL from the Institute for Planning Research as well as Batson's PDL. Wilson and Ramphela (1989) in *Uprooting Poverty: The South African Challenge,* which is a comprehensive report based on the Inquiry, present a section on *'Some basic statistics'*. In this section the levels of poverty are indicated in monetary value derived using the PDL, MLL, SLL, HSL and HEL. The use of these poverty measures in the Second Carnegie Inquiry into Poverty and Development in Southern Africa by researchers and activists who considered themselves aware and progressive, demonstrates, perhaps, an ahistorical and decontextualised perspective. This shows that even those with good intentions became overwhelmed by conventional practice rather than critical enquiry that would have exposed the origin and meaning of these poverty lines. This reflected an approach to the issue of poverty among blacks that was not guided and fully embedded in the political and historical context of South African society.

Whilst the Second Carnegie Inquiry may have used measures of poverty that entrenched rather than challenged the apartheid-era definitions of poverty, nonetheless the inquiry was a crucial development in that it brought together a cross-section of members of South African society to investigate and provide a comprehensive analysis of black poverty in the homelands and urban areas of South Africa. The work of the Inquiry became an important record in the depiction of poverty and the outcomes of apartheid policies on education for blacks, food and nutrition and the attendant problems of malnutrition and stunted growth to name a few.

5.5 The introduction and inception of 'physical efficiency' minimalist definitions of poverty in post-apartheid democratic South Africa: The 1993 Project for Statistics on Living Standards and Development and Key Indicators of Poverty in South Africa

This Chapter has this far provided a detailed account and analysis of poverty definitions in the apartheid era. In the introduction to this Chapter, an indication was made that the two key studies that became the bridge in the inception of apartheid era poverty definitions will be considered. These two studies are the PSLSD and the *Key Indicators of Poverty in South Africa* undertaken by the World Bank. In 1993, as part of the PSLSD, research and studies were commissioned and undertaken. The 1995 *Key Indicators of Poverty in South Africa* study built on this foundation that had been laid.

5.5.1 The 1993 Project for Statistics on Living Standards and Development (PSLSD)

In 1993, when the transition to a democratic dispensation was inevitable considering the developments at the Convention for a Democratic South Africa,[25] and the adoption of the interim Constitution, a study aimed at gathering data and information on poverty in South Africa was undertaken. This study, was undertaken at the behest of the ANC before the 1994 elections (SALDRU, 1994). The ANC requested the World Bank, in collaboration with South African researchers, to conduct a comprehensive national survey aimed at providing a clear and accurate picture of levels of deprivation in South Africa with the intention of creating 'effective strategies to combat poverty' (SALDRU, 1994). The outcome was the Project for Statistics on Living Standards and Development (PSLSD) undertaken during the nine months leading up to the country's first democratic elections. The study captured different aspects of living standards and covered demography, household services, household income and expenditure, educational status, remittances, marital maintenance, land access and use, employment, health status and anthropometry (SALDRU, 1994). At the completion of the data gathering, a publication containing statistical tables with information on living standards was issued to be used as widely as possible. According to Klasen (2000: 35), the PSLSD was 'very similar to World Bank sponsored Living Standards Measurement Surveys undertaken in many developing countries in the past decade'.

It is important to note that the PSLSD did not define or measure poverty. Data was collected and compiled into tables and published for use by the research community. The PSLSD, in the historical analysis of poverty definition in apartheid and post-apartheid South Africa is important for two reasons. First, the PSLSD became the basis or first wave of a number of

[25] This was the representative multi-party and multi-organization body through which negotiations for a democratic society were conducted in South Africa. The ANC was the *de facto* representative of the majority of South Africans who were oppressed under apartheid as the ANC joined forces with the South African Communist Party and the Congress of South African Trade Unions.

studies analysing poverty in post-apartheid South Africa. A number of key poverty studies in South Africa were based on the PSLSD which has been hailed as:

> '… a critical milestone in this new poverty research agenda … This study was the first fully representative household income and living standards survey in South Africa, incorporating approximately 8800 households nation-wide (of which 4259 were rural African households), and is generally considered the benchmark for comprehensive poverty-related data in the country.' (Roberts, 2000: 37)

Second, as part of the PSLSD, nine regional poverty profiles were commissioned with the aim 'to document how the situation had or had not changed in the decade since the main empirical work was done for the Second Carnegie Inquiry into Poverty and Development' (SALDRU, 1994). The poverty profiles compiled were for the following regions and areas: Orange Free State (September 1993), KwaZulu-Natal (August 1994), Durban (October 1993), Western Cape (November 1993), Eastern and Northern Transvaal (November 1993), PWV (Pretoria, Witwatersrand, Vereenigeng) (1993), Eastern Cape / Border / Ciskei (August 1994), Port Elizabeth, Uitenhage and Kirkwood (August 1993), and Transkei (August 1994).

The project generated statistics on various indicators which could be used in research and planning. According to May in the *Poverty and Inequality Report* (RSA, 1998), the PSLSD has played an important role in guiding policy in South Africa, for example in provincial allocation of state revenue and in poverty alleviation programmes.

Whilst the PSLSD was intended to become the 'policy-base' for anti-poverty strategies in the post-apartheid democratic period, the regional poverty profiles conducted were still located, in terms of conceptualization, definition and measurement of poverty in the pre-democracy, apartheid era. For the PWV region, Hall et al (1993) adopted the Bureau of Market Research's

MLL as the measure 'of the poverty datum line'. This analysis in the PWV region is issued with the caveat that 'unfortunately, the Bureau of Market Research made their data available subject to the condition that the absolute value of the MLL not be made public'. The authors, using the MLL, construct a table for the four population groups in South Africa. For Africans in the four major centres of the PWV, the poverty levels range between 31.2% - 49.1%. For the Durban region, Cobbledick and Sharratt (1993) using the Household Subsistence Level published by the Institute for Planning Research, concluded that:

> 'The relevant HSL for a six member urban African household in Durban in September 1991 was R743.50 and for a seven-member rural African household, R807.21 … while in all three areas sampled, mean incomes are higher than the HSL, it is clear that poverty is pervasive particularly in the rural areas … The situation is possibly similar, if not worse, in informal settlements.' (Cobbledick and Sharratt, 1993: 39)

Several regional profiles could not be constructed because of time constraints and lack of data. The KwaZulu / Natal report only cites studies previously conducted in the region using the HSL and MLL. Mpambani (1994) conducted the poverty profile for the Transkei region and could not, because of near total lack of data and information on poverty, pronounce on the levels of poverty in the region. Beukes and Pearce (1993), commissioned to do a profile of the Orange Free State, reached the conclusion that:

> '... data sources on the region … had the following deficiencies; (i) much less data are available about rural than about urban areas. The rural data are also much more fragmentary; (ii) official data in the area are collected and provided by different political authorities who often seem to use categories and demarcations to obfuscate the picture as much as possible instead of shedding light on the scene … and (iii) the very unequal statistical coverage of the situation of different population groups in South Africa generally, also applies to the region. Since poverty occurs mostly in the groups who have had least coverage, it has made the construction of a full profile impossible.' (Beukes and Pearce, 1993: 77)

The two authors nonetheless do point out that a measure such as the Minimum Living Level would be an ideal indicator for benchmarking income poverty.

In the Eastern Transvaal profile the Bureau of Market Research's minimum and supplemental poverty lines are calculated for 'African biological families'. The HSL was used in the Port Elizabeth, Uitenhage and Kirkwood poverty profiles. Authors of the Western Cape poverty profile write that they decided to use the HSL which they see as the money value of a 'socially acceptable' basket of goods in the specific context of the Western Cape.

If the racially inclusive democratic elections held in April 1994 and the subsequent installation of a Government of National Unity are taken to mark the official end of apartheid, then, with regards to studies and analysis of poverty, the PSLSD and the nine regional poverty profiles are, chronologically, the last pronouncements on poverty among blacks in the apartheid era. As indicated these profiles relied on established poverty definitions from the Bureau of Market Research and the Institute for Planning Research. In the next section, the discussion is on the 1995 report *Key Indicators of Poverty in South Africa* to show how these two key studies of poverty became the important bridge through which apartheid era definitions and measures of poverty were introduced, became established and entrenched in poverty analysis in the democratic era.

5.5.2 Key Indicators of Poverty in South Africa

Before delving into the conceptual issues on definition of poverty in the *Key Indicators of Poverty in South Africa* analysis, there were crucial developments at the political level that need to be pointed out. These developments provided a strong indication on the type of society South Africans wanted to build after the fall of apartheid. It is these indications at the political

level that one would have expected to be taken into consideration and included as central points of departure in the conceptualization and definition of poverty in the democratic era.

The 1993 Interim Constitution asserted that 'this Constitution provides a *historic bridge* between the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and a future founded on the recognition of human rights' (RSA, 1993). The Interim Constitution further stated that 'the adoption of this Constitution lays the secure foundation for the people of South Africa to transcend the divisions and strife of the past' and 'with this Constitution and these commitments we, the people of South Africa, open a new chapter in the history of our country' (RSA, 1993). The clear intentions of the ANC-led democratic Government of National Unity on the problem of poverty are captured by the extension of the Reconstruction and Development Programme as a fully-fledged Ministry in the Office of the Presidency. In the White Paper on Reconstruction and Development (RSA, 1994) the mission of the new government is expressed:

> 'At the heart of the Government of National Unity is a commitment to effectively address the problems of poverty and the gross inequality evident in all aspects of South African society … [and] ... alleviate the poverty, low wages and extreme inequalities in wages and wealth generated by the apartheid system to meet basic needs, and thus ensure that every South African has a decent living standard and economic security.' (RSA, 1994)

In October 1995 the Ministry in the Office of the President: Reconstruction and Development, published *Key Indicators of Poverty in South Africa: An analysis prepared for the Office of the Reconstruction and Development Programme by the World Bank.* This study was based on the PSLSD. It was the first instalment at the measurement of poverty using various definitions in post-1994 South Africa. Conclusions drawn were that poverty in South Africa has a race

dimension, a rural dimension, a regional dimension, a strong employment dimension and a strong gender and age dimension. The *Key Indicators of Poverty in South Africa* report has been quoted and used as a basis for the extent of poverty in South Africa in many subsequent poverty studies. Poverty definition and measurement is clearly spelt out in this study as five different types of poverty lines are used to analyse and conclude on poverty levels in South Africa. Table 12 below presents the poverty lines used.

Table 12: Comparison of selected poverty lines for South Africa (1993)		
Types of poverty lines	**R Amount/Month Cut-off**	**% of population below the poverty line**
1.Population cut-offs at the:		
40th percentile of households raked by adult equivalence	301,1	52,8
20th percentile of households raked by adult equivalence	177,6	28,8
2. Minimum per capita caloric intake (at 2 000 Kcal per day)	143,2	39,3
3.Minimum per capita adult-equivalent caloric intake (at 2 500 Kcal per day)	185,5	42,3
4.Minimum and supplemental living levels per capita set by the Bureau of Market Research, University of South Africa		
Supplemental Living Level (SLL)	220,1	56,7
Minimum Living Level (MLL)	164,2	44,7
5. Per adult equivalent household subsistence level (HSL) set by the Institute for Planning Research, University of Port Elizabeth	251,1	36,2

Source: Key Indicators of Poverty in South Africa (RSA, 1995a)

As the table shows, in this analysis, the first poverty approach is what is referred to as a relative definition of poverty which selects a cut-off point to identify poor households in the country ranked by adult equivalent income. The poorest 40% of households are defined as 'poor', and the poorest 20% of households, are defined as 'ultra poor'. Whilst the term 'relative poverty line' is used to describe the poverty line used in this study, it is, on closer analysis not relative at all. It is not relative in the Townsend (1979) sense of 'relative poverty'. Secondly, Leibbrandt and Woolard (1999a) in *Measuring Poverty in South Africa* give a clear explanation why

poverty lines with 20% and 40% cut-offs are not relative. The crudest definition of a relative poverty line is that income level which cuts off the poorest p percent of the population in the national income distribution. The choice of p will always be somewhat arbitrary, but 40 percent is often chosen. There are two objections to this method. First, the method prejudges the extent of poverty. It is p percent by definition. Second, it necessitates that 'the poor are always with us'. Even in the event of a massive shift in living standards, the proportion of people in poverty remains unchanged.

Two caloric consumption poverty lines are used by the World Bank in the study. The 'minimum per caloric intake (at 2000 Kcal per day) and the minimum per capita adult equivalent caloric intake (at 2500 Kcal per day) produce, respectively, 39.3% and 42.3% of the South African population living below these lines. The MLL and the SLL from the Bureau of Market Research and the HSL of the Institute for Planning Research started in the early 1970s after the national workers' strikes over low wages are used.

Considering the conceptual approach and definitions to poverty adopted in the 1995 *Key Indicators of Poverty in South Africa*, it is a fair observation to make that whilst the new democratic government was gearing itself up to address poverty in its many manifestations, the World Bank remained rooted in poverty concepts and definitions that favoured the practice established during the apartheid era.

5.6 Concluding remarks

This Chapter outlined how Batson's original PDL was used and transformed into a number of poverty lines by researchers in South Africa in the early 1970s. The two main research centres

at the forefront of this change of the PDL were the Institute for Planning Research at the University of Port Elizabeth that calculated the Household Subsistence Level (HSL) and the Bureau of Market Research at the University of South Africa that calculated the Minimum Living Level (MLL). The HSL was in every sense Batson's PDL with the Institute of Planning Research having changed the name only. The MLL was lower that the PDL in monetary value.

The poverty lines that were derived from the PDL occurred in the apartheid political and economic context with the purpose of providing a standard against which the wages of black workers could be set at a time when black workers were fighting for better wages. Batson's PDL which was 'below a standard that is human' and represented 'existence at the lowest possible level' became the wage setting standard with the wages of black workers below the PDL and its derivatives. Starting from 1974, the HSL and the MLL became key tools in the setting of wages of black workers used by the apartheid state in the wage determinations issued by the Wage Boards.

In the 1970s and 1980s the HSL and the MLL became established as definitions and measures of poverty in South Africa. In the mid-1980s these poverty measures were adopted and used by progressive researchers in the Second Carnegie Inquiry which was aimed at building and presenting a comprehensive picture of poverty among blacks. This gave the PDL-derived poverty measures an endorsement and credibility by those who were fighting to end apartheid. The Project for Statistics on Living Standards and Development (PSLSD) and the *Key Indicators of Poverty in South Africa* conducted and supported by the World Bank were important and instrumental in bringing apartheid era poverty definitions and measurement into the democratic era with the HSL and the MLL central in the poverty analyses.

Chapter 6 The origins and meaning of citizenship in post-apartheid democratic South Africa and its implications for poverty definition and measurement

6.1 Introduction

In this Chapter the interpretation of citizenship in post-apartheid democratic South Africa is explore1d. The arguments presented build on points raised in Chapter 3 in which the denial of full citizenship to blacks in South Africa during the segregation and apartheid periods was explored through the five themes. The focus is on the emergence of citizenship buttressed by political, civil and social and economic rights in the democratic era.

History informs us that when new societies are formed, it is the habit of humanity to declare and articulate unambiguously founding principles and values that are to shape and dictate the form and content of how members of the new social and political community are bound together, and how the main organ of political will, the state, is to rule and govern and what the underlying values, principles and commitments are. The French Revolution gave birth to the *citoyen* with the ideals of liberty, equality and fraternity (Heater, 1990; van Kley, 1994). The constitution of the United States of America sought to 'establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty'[26]. Post-World War II Britain embarked on social reconstruction involving unprecedented state intervention in education, health, housing and social security (Digby, 1989; Glennester, 1995; Lowe, 1999; Timmins, 2001) aimed at achieving 'freedom from want, disease, ignorance, squalor and idleness' (Beveridge, 1942). In the African context, in the fight against colonialism, at its formation in Addis Ababa in May 1963, the member states of the Organisation of African Unity founded their commitment on the understanding that 'freedom,

[26] United States of America, Constitution of the United States of America. Available at http://usinfo.state.gov/usa/infousa/facts/funddocs/consteng

equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples' and saw as their responsibility the 'total advancement of our peoples in all spheres of human endeavour' (Organisation of African Unity, 1963).

So too, in South Africa, the period from February 1990 to the holding of inclusive elections in April 1994 saw the coming together, in negotiations, of political organizations representing those who were discriminated against and denied full citizenship under apartheid with the apartheid state. The reason for the negotiations was to lay down the foundations for a new non-racial, non-discriminatory, democratic society in which free citizens were to enjoy political, civil, social and economic rights. In April 1994 racially inclusive and democratic elections were held for the first time in the country. A unitary state under a single political authority was formed. Decades of a social, political and economic system founded on racial discrimination, officially came to an end.

It is important, without exaggeration, to highlight the significance of this moment in the history of South African society. Centuries of colonialism, segregation and apartheid and the practices that characterised these historical periods were formally abolished. The social, political and parts of the economic architecture of apartheid came to an end. Blacks who were historically discriminated against became full citizens for the very first time in the history of South African society. A 'new' society was ushered in, a society that was to undo the social and economic outcomes of racial discrimination and, as the 1996 Constitution states, strive for a better life for all South Africans. As the last President of apartheid South Africa, FW De Klerk, in the February 1990 speech unbanning the ANC and other political organisations, asserted:

> ‘A changed dispensation implies far more than political and constitutional issues. It cannot be pursued successfully in isolation from problems in other spheres of life which demand practical solutions. Poverty, unemployment, housing shortages, inadequate education and training, illiteracy, health needs and numerous other problems still stand in the way of progress and prosperity and an improved quality of life.’ (De Klerk, 1990)

Transitional arrangements saw the Interim Constitution of 1993 being adopted whilst the country worked towards a final constitution. The Interim Constitution was superceeded and replaced by the Constitution adopted in May 1996. In similar fashion to the societies mentioned above, but going much further, South Africans, through ‘freely elected representatives’ committed themselves to ‘democratic values, social justice, fundamental human rights, the improvement of the quality of life of all citizens, equality and human dignity’ (RSA, 1996a). This change, the vision and values of the newly founded society and the commitments, marked a decisive and fundamental departure from the racially discriminatory apartheid system whose policies were instrumental in the high levels of multi-dimensional among blacks.

The 1996 constitution with its specific emphasis on socio-economic rights was not created in a vacuum. The Constitution of democratic South Africa is an outcome of a historical process. The Constitution emerged as part of the long struggle against segregation and apartheid. It is the exposition in this thesis that the South African Constitution (RSA, 1996a) enshrined the citizenship with rights based on the Bill of Rights. This, from a social policy perspective, is central in understanding the specific type of citizenship that is the character of the post-apartheid society. This citizenship with rights is linked to the aim and commitment to tackle poverty. The socio-economic rights in the Constitution address South Africa’s historical, social and economic challenges and have a direct link to multi-dimensional poverty. It is the reading of the South African Constitution that informs this view.

A number of writers have linked the socio-economic rights in the Constitution to poverty in South Africa (Liebenberg, 1998, 2002; Brand, 2005; De Vos, 1997; van Bueren, 1999). This Chapter goes beyond this logical link between socio-economic rights and poverty. The Chapter relates the socio-economic rights to the conceptualization and definition of poverty by researchers including how these definitions of poverty are used in government policy documents. Poverty is seen as one of the main challenges facing the post-apartheid society. How poverty is conceptualized and defined will shape explanations for its existence and policy responses employed.

In this chapter the analysis undertaken will demonstrate that the origins of South Africa's democratic Constitution can be traced back as far as the early 1900s. This is the period when the ANC called for social, political and economic change through the granting of full citizenship rights to all South Africans. The next section presents the struggle for full citizenship by blacks in South Africa thus showing that the fight over many decades for full citizenship forms the foundation for the democratic era Constitution and the citizenship with rights.

6.2 The struggle for full citizenship during the segregation and apartheid periods

Writings and accounts of the struggle for full citizenship in South Africa are extensive. Numerous organizations that fought against racial discrimination were formed both within and outside the borders of the country. In the African continent, organizations such as the

Organisation of African Unity contributed in undermining South Africa's political regimes that were based on racial discrimination. Internationally, the United Nations took resolutions and steps such as the political and economic isolation of the country, and the declaration of apartheid as a crime against humanity (United Nations, 1994). The Anti Apartheid Movement, based mainly in the United Kingdom, focused international political and economic pressure on the racially discriminatory practices of the apartheid state.

The focus on the struggle for full citizenship is on the ANC and the many resolutions, statements, documents and campaigns expressing what the struggle against the many forms of discrimination was about and the vision for a non-discriminatory, socially, politically and economically inclusive and democratic South Africa. The ANC, in the many decades of its existence since 1912, and in collaboration and partnership with other political organizations, authored and issued documents that presented the central principles of a future society. The statements and documents that came out of the many meetings, conventions and conferences attest to the fact that 'Africans were not passive victims of colonization, oppression, and segregation, but were involved in a wide range of inventive political responses and innovative forms of action' (Beinart, 2001: 113).

The history of the struggle for full citizenship in South Africa shows that in the main, the ANC responded to legislation and other discriminatory actions of the segregation regime. It was in the late 1940s, spurred on by the National Party's apartheid ideology and repressive policies, that the ANC changed tactics to a more direct engagement and confrontational stance. The South African National Native Congress (SANNC), later renamed the African National Congress (Davenport, 1991; Dubow, 1989), was formed at a time when 'evidence of the

permanent exclusion of blacks from citizenship was mounting' (Worden, 1994: 81). The draft Union of South Africa Bill, eventually enacted in 1909 and the formation of the Union of South Africa Act in 1910, the Mines and Works Act of 1911 and the Native Lands Bill, the issue of the rights of blacks in urban areas and pass control caused widespread 'African disillusionment' and 'acted as a catalyst for more permanent organized unity' (Worden, 1994: 81). During this period, blacks experienced 'a series of attacks on their position in society which effectively cut them off from access to full citizenship' (Davenport, 1991: 207).

On the instigation of Pixley ka Seme, the need for an organized voice representing the disenfranchised and discriminated against was identified. Subsequently, delegates assembled on the 8th January 1912 in Bloemfontein to consider the worsening political position of blacks under segregation in the Union of South Africa. The outcome of this conference was the formation of the SANNC (Worden, 1994). Seme in his address to this assembly raised the worrisome political and economic issues of the day:

> 'We have discovered that in the land of their birth, Africans are treated as hewers of wood and drawers of water. The white people of this country have formed what is known as the Union of South Africa - a union in which we have no voice in the making of the laws and no part in their administration. We have called you therefore to this Conference so that we can together devise ways and means of forming our national union for the purpose of creating national unity and defending our rights and privileges.' (Worden, 1994:39)

The movement towards the formation of the Union and the 1913 Native Lands Act 'became a major issue for African politicians' (Beinart, 2001: 57). This was marked by 'frequent deputations to England - notably in 1909, to oppose the terms of Union, and in 1914, following the promulgation of the Natives Land Act' (Beinart, 2001: 90). Deputations were the SANNC's main method of addressing political grievances. In these early years, 'the tactics of the SANNC

were accordingly moderate' as 'it still hoped to exert influence by petitions, delegations and journalism' (Worden, 1994: 82). As Dubow (1989: 173) observes, 'in an age where individual rights and justice were claimed, but before 'democracy' became a popular demand, the African elite wanted access to citizenship rather than a radical redefinition of the scope of political sovereignty'.

The SANNC was brought into action when segregation-era repression saw the Free State Province taking legislative steps to extend pass control to Native women. The SANNC engaged in 'a vigorous campaign on behalf of the women resistors' and 'in 1919 a passive resistance movement was begun under the leadership of the South African National Native Congress' (Neame, 1962: 43-44). But, the political reach of the SANNC's 'African elite' (Dubow, 1989: 173) was limited and did not address the critical political and economic issues affecting the disenfranchised black population. It was the Industrial and Commercial Workers' Union (ICU) that filled this gap as 'the ANC was partly supplanted in the 1920s by the Industrial and Commercial Workers' Union of South Africa (ICU) and its various offshoots, which attracted those who sought a more radical political vehicle' (Beinart, 2001: 104). The ICU, under the leadership of Clements Kadalie, was the 'first mass movement in the history of black South Africa' (Davenport, 1991: 272).

Events such as the 1920 African mine workers strike and the 1922 Rand Revolt saw the SANNC clarifying its stance on the politics of the day. Thus, in 1923, a Bill of Rights was discussed and adopted at the annual convention on the 29 May 1923 by SANNC which saw itself as 'being representative of the Bantu population of the four Provinces of the Union of South Africa'. This Bill of Rights stated:

‘1. That the Bantu inhabitants of the Union have, as human beings, the indisputable right to a place of abode in this land of their fathers.

2. That all Africans have, as the sons of this soil, the God-given right to unrestricted ownership of land in this, the land of their birth.

3. That the Bantu, as well as their coloured brethren, have, as British subjects, the inalienable right to the enjoyment of those British principles of the “liberty of the subject, justice and equality of all classes in the eyes of the law” that have made Great Britain one of the greatest world powers.

4. That the Bantu have, as subjects of His Majesty King George, the legal and moral right to claim the application or extension to them of Cecil Rhodes’ famous formula of ‘equal rights for all civilized men south of the Zambezi’, as well as the democratic principles of equality of treatment and equality of citizenship in the land, irrespective of race, class, creed or origin.

5. That the peoples of African descent have, as an integral and inseparable element in the population of the great Dominion of South Africa, and as undisputed contributors to the growth and development of the country, the constitutional right of an equal share in the management and direction of the affairs of this the land of their permanent abode, and to direct representation by members of their own race in all the legislative bodies of the land, otherwise, there can be ‘no taxation without representation.’ (ANC, 1923)

The present-day ANC sees this Bill of Rights as the beginning of the organisation’s long journey and established tradition in the fight for human rights (Asmal et al, 2005). Further impetus for the ANC on the political front came about with the continuing entrenchment of segregation through the passage of the 1924 Industrial Conciliation Act, the adoption of the ‘civilised labour policy’ from 1924, the Wages Act of 1925 and the Segregation Bills of 1926. These Bills were rigorously debated as they affected many aspects of black lives. The Bills were enacted in 1936 and 1937 and ‘reflected a broad consensus within the white community that a rapidly urbanising and industrializing South Africa required a more rigid, legal expression of white supremacy in the economic, social and political spheres’ (Duncan, 1995: 17). According to Davenport (1991) the aim of the Segregation Bills, that were to be enacted partly through the Representation of Natives in Parliament Bill:

> ‘... was to remove the African voters from the common roll in the Cape, and as an alternative to give seven white representatives in the House of Assembly to Africans

> from all provinces, with the power to vote on measures affecting Africans only.' (Davenport, 1991: 266)

This move to exclude Africans from the Cape franchise, the only province in which Africans still enjoyed a qualified franchise, gave the SANNC 'a shock' (Worden, 1994: 83). Opposition to these Bills was wide-spread and 'aside from the ANC the only African organisation which appeared to reject the Native Bills completely was the ICU' (Dubow, 1989: 155). The fortunes and achievements of the ANC during this period were mixed. By the end of the 1930s the ANC 'went into sharp decline' because of its failure to 'link with the majority of the population facing rural impoverishment and urban proletarianisation' (Worden, 1994: 83).

It was in 1935 that a somewhat fresh start in the fight against discrimination was made by the ANC. After consultations 'between DDT Jabavu, leader of the Cape Native Voters' Convention, and Seme, president-general of the A.N.C.' (Davenport, 1991: 283), the All African Convention was held in Bloemfontein and 'they were able to attract to their conference in Bloemfontein some four hundred-odd representatives of many different kinds of organisations' (Davenport, 1991: 283). The Convention 'opposed the abolition of the Cape franchise and went so far as to demand the immediate granting of franchise rights to Africans throughout the Union, subject, if necessary, to some form of 'civilization test' (Dubow, 1989: 164). The call for full citizenship was repeatedly made in ANC conferences and meetings in the late 1930s and early 1940s. Even the Native Representative Council established when the Segregation Bills came into effect made demands for 'policy which recognizes that Africans are citizens of this country and not things apart' (Davenport, 1991: 313).

A key development within the ANC at this time was the formation of the ANC Youth League in 1944 (SADET, 2004: 31). This marked a change in strategy and tactics as the Youth League saw it as imperative that the organization goes 'down to the masses and the importance of such direct action as boycotts, strikes and trade union mobilisation' (Worden, 1994: 86). As ZK Matthews (1981) remarked:

> 'For years African organizations had pinned their faith on moderation: on petitions and deputations, on mild requests for this or that concession, on what they called constitutional methods of struggle.' (Matthews, 1981: 157)

The ANC's 1943 Bill of Rights was another expression of the struggle for full citizenship in the segregation era. The 1942 ANC conference tasked the President, AB Xuma, 'to set up a committee to study the Atlantic Charter' (Davenport, 1991: 313). The result was the *Africans' Claims* document expressing a Bill of Rights which had the opening statement that:

> 'We, the African people in the Union of South Africa, urgently demand the granting of full citizenship rights such as are enjoyed by all Europeans in South Africa.'

Specific demands made in the Bill of Rights included; abolition of political discrimination based on race, the right to equal justice in courts of law, freedom of residence, freedom of movement, the repeal of the pass laws, equality of treatment with any other section of the population in the state social services, and the inclusion on an equal basis with Europeans in any scheme of social security.

The demands in the ANC's 1943 Bill of Rights were addressed at the political and economic challenges of the time and signaled the intention to cater for the broad aspirations of black people. However, as bold as these demands were, 'the problem was that the opponents of

discrimination now faced a newly determined segregationist government' (Worden, 1994: 87). In August 1946 African mine workers went out on strike and 'mining was brought to a standstill' (Matthews, 1981: 145). AB Xuma, as President of the ANC and 'chairman of the Anti-Pass Committee' gave a directive to the Native Representative Council to 'adjourn their session unless the Government agreed to abolish the pass laws, recognise African trade unions under the Industrial Conciliation Act, and repeal the oppressive sections of the Native Administration Act of 1927 which permitted banishment without trial' (Davenport, 1991: 210). Again the ANC's National Executive in its meeting in 1946 urged Africans 'to struggle for full citizenship' (Matthews, 1981: 147). The following year, 1947, a 'Joint Declaration of Cooperation' brought into political solidarity the ANC, the Natal Indian Congress and the Transvaal Indian Congress 'to work together for full franchise rights, equal industrial rights, the removal of land restrictions, the extension of free compulsory education to all non-Europeans, freedom of movement (involving abolition of passes for Africans and of restrictions on inter-provincial travel for Indians), and the removal of all-discriminatory legislation' (Davenport, 1991: 320).

In 1948, the same year the Universal Declaration of Human Rights was adopted, the National Party made its position on the rights of black people patently clear. The raft of discriminatory legislation heralded even more pervasive and stringent controls that were to come into effect in following years. The ANC responded with a Programme of Action which 'called for national freedom and political independence from white domination' (Worden, 1994: 87). This call from the Youth League 'paved the way for a new era of organized mass militant action' (SADET, 2004: 30). This political action involved the use of boycotts, strikes, civil disobedience and non-cooperation as weapons of the future (Davenport, 1991: 332; Worden, 1994: 87). The programme of Action was a reflection of 'a growing feeling among Youth

Leaguers in particular that something more than petitions and deputations to the Government was now imperative' (Davenport, 1991: 332).

As the 1950s began, with apartheid repression rising, the determination of black people in the fight for citizenship was to intensify with far reaching ramifications. In 1951 the ANC 'took the decision to launch the campaign for the Defiance of Unjust Laws' (Matthews, 1981: 172). The Defiance Campaign starting in 1952 'helped to launch the ANC as a mass movement' (Posel, 1997: 221), and 'put an end to the era of deputations and pleading with the government to grant rights' (Mbeki, 1992: 65). The campaign focused on six unjust laws: The pass regulations, cattle culling and Bantu Authorities, Group Areas, Separate Representation of Voters and the Suppression of Communism Act (SADET, 2004: 32). At the time when the Defiance Campaign was gaining increasing support, ZK Matthews, then President of the ANC in the Cape Province, addressed the conference and posed this question:

> 'I wonder whether the time has not come for the African National Congress to consider the question of convening a national convention, a congress of the people, representing all the people of this country irrespective of race or colour, to draw up a freedom charter for the democratic South Africa of the future.' (Matthews, 1981: 173)

This was the birth of the Congress of the People. A national campaign was launched and 'local committees collected lists of grievances and demands which were then drafted by a central committee into the 'Freedom Charter'' (Worden, 1994: 105). The Freedom Charter was adopted by delegates at Kliptown in June 1955. The document declared that:

> 'South Africa belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of all the people; that our people have been robbed of their birthright to land, liberty and peace by a form of government founded on injustice and inequality; that our country will never be prosperous or free until all our people live in brotherhood, enjoying equal rights and opportunities; that

> only a democratic state, based on the will of all the people, can secure to all their birth right without distinction of colour, race, sex or belief.' (Congress of the People, 1955)

Central principles for the kind of society struggled for were captured in the phrases 'the people shall govern', 'all national groups shall have equal rights', 'the land shall be shared among those who work it', 'all shall enjoy equal human rights', 'there shall be work and security', 'the doors of learning and culture shall be opened', 'there shall be houses, security and comfort'. As Matthews (1981) commented:

> 'Here for the first time in the history of the country was a Congress which brought together people drawn from all sections of the population to consider and give expression to their vision of the South Africa of the future. The second significant thing was that it was able to produce the Freedom Charter which set forth the desires and aspirations of the people.' (Matthews, 1981: 181)

There were other campaigns that the ANC in partnership with other political organizations engaged in. These included the anti-removal campaigns, anti-Bantu Education campaign, the anti-economic rentals campaign and the fight against passes imposed by Verwoerd's apartheid government on African women (SADET, 2004: 33).

The late 1950s were marked by an 'escalation of urban African resistance' (Posel, 1997: 237). The anti-pass campaign continued as the ANC called for 'a series of single day anti-pass marches' (Worden, 1994: 107). In contrast, the Pan-Africanist Congress (PAC) which tried to 'upstage the ANC in mass mobilisation' (Beinart, 2001: 166), went on to call 'for a more sustained campaign, involving refusal to carry passes and mass presentation at police stations to demand arrest' (Worden, 1994: 107). The PAC's anti-pass campaign brought political issues in the country to the boil when during a peaceful march in Sharpeville, on 20 March 1960,

police ‘opened fire, killing sixty-nine and wounding many more’ (Beinart, 2001: 166). The Sharpeville Massacre, as it came to be known, was ‘a decisive turning point in South Africa’s history’ (SADET, 2004: 1; Worden, 1994: 107). Even more strikes and stayaways were called and the government resorted to a State of Emergency, incarcerated many leaders and went on to ban the ANC and the PAC. These organizations went underground and launched military wings of their organizations. The ANC formed Umkhonto weSizwe (Spear of the Nation), the PAC, Poqo (SADET, 2004). On this decision ‘the ANC argued that it had exhausted the potential for non-violent protest; the state itself was illegitimate and rested on violence’ (Beinart, 2001: 168).

The ANC and PAC went into exile and established themselves in different countries including Tanganyika, Zambia, Europe (particularly Britain) and the United States (SADET, 2004: 441). The ANC continued the fight for an inclusive democratic South Africa from exile. The organization became active in the United Nations and this led to the formation of the United Nations Special Committee against Apartheid in 1963 with the International Convention on the Suppression and Punishment of the Crime of Apartheid ratified in 1973 (United Nations, 1994). The first meeting of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa which was later renamed Special Committee against Apartheid was held on 2 April 1963. The multi-pronged fight for full citizenship saw the ANC launch military campaigns against the apartheid regime.

With the ANC and other key political organisations banned and in exile, in the late 1960s and the 1970s it was the Black Consciousness Movement that piloted the thrust of the struggle for citizenship and rights as marked by the 1973 industrial strikes, growing worker militancy, the

1976 students uprisings (Davenport, 1991). When the United Democratic Front (UDF) was formed in 1983 it received support of the ANC in exile (Davenport, 1991: 428). In the mid-1980s a wave of popular militancy led to mass insurrection in black townships throughout the country. The state responded in the way it knew best; with an unprecedented level of brutality and repression unleashed both within the country and beyond its borders (Dubow, 1989: vii).

It was under this cloud of 'insurrection' (Beinart, 2001) and state repression that the window for negotiating a political settlement in South Africa opened. In 1987 the ANC in exile issued a statement clarifying its position on negotiations. The statement referred to the Freedom Charter as providing 'a reasonable and viable framework for the construction of a new society' (ANC, 1987). On citizenship and rights, the statement made the point that 'the ANC accepts that a new constitution for South Africa could include an entrenched Bill of Rights to safeguard the rights of the individual' (ANC, 1987). Between 1991 and 1993 the ANC issued documents stating its position on the nature of a Constitution with a Bill of Rights in a democratic South Africa. The organisation's policy and position documents, *The Constitutional principles for a democratic South Africa* (ANC, 1991), *Ready to Govern* (ANC, 1992), and *A Bill of Rights for a new South Africa* (ANC, 1993) all argue for a Bill of Rights securing, among others, workers' rights, human rights for women, the right to home and family, property rights, social, educational, health and welfare rights. The last of these key documents to emanate from the ANC and its alliance partners, the South African Communist Party (SACP) and the Congress for South African Trade Unions (COSATU), before the 1994 democratic elections was the Reconstruction and Development Programme (ANC, 1994). This document was adopted by the post-1994 Government of National Unity as the macro-social and economic reconstruction framework of the post-apartheid democratic state.

Therefore, as this historical overview indicates, the 1996 Constitution of democratic South Africa was thus not developed as an instrument that was unconnected and separate from the social and political struggle for full citizenship. The Constitution drew from and can be rightly interpreted as continuing the tradition of the citizenship with rights that had been apparent from as early as 1923. This tradition was developed further in 1943 in *Africans' Claims* and in 1955 in the Freedom Charter. This tradition was continued and is evident in the documents and statements on full citizenship from the ANC in the 1990s, in the period immediately before the 1994 elections.

6.3 The 'citizenship with rights' in the South African Constitution and the link to poverty

The citizenship with rights embodied in the Bill of Rights outlining political, civil and social and economic rights, is a fundamental aspect of the Constitution. The citizenship with rights serves an important purpose in the post-apartheid society. The purpose is the Constitutional commitment to tackle one of the apartheid system's enduring legacies, that is multi-dimensional poverty. The substantive content of the social and economic rights on housing, health care, food, water and social security bears testimony to the identified purpose and objective of the Constitution.

There are many perspectives from which the change from the apartheid system to a democratic society can be analysed. Some commentators view the transition from apartheid to democracy in a positive light, representing a high water mark in the struggle against racial discrimination. Others are of the view that meaningful and real changes for the majority of South Africans are

restricted mainly to political and civil rights with little possibility for prosperity for all (Bond, 2000; Marais, 2001; Terreblanche, 2002). The aim of this study is not to settle this debate. Central to the break from apartheid is the establishment of a society of citizens with constitution-based civil, political and social and economic rights. It is appropriate to assert that the notion of the citizenship with rights will have to be at the centre of an analysis of the social and political change and the vision and values that underpin democratic South Africa. The phrase *'citizenship with rights'* as applied to the South African context, is intended to highlight that post-apartheid citizenship is not just only about a 'legal' status. It is the comprehensive constituent political, civil, social and economic rights that the use of this phrase is aimed at capturing. The use of the phrase 'citizenship with rights' derives from a reading of the 1996 South African Constitution, a reading of judgements from the Constitutional Court, analysis of the views of the judiciary, state policy documents and writers on the South African Constitution and the rights enshrined in the Constitution.

The challenge addressed in this Chapter is to explain how the citizenship with rights relates to the conceptualization and definition of poverty. Such an investigation requires that a number of questions are posed. What, in practice, is the meaning of social and economic rights enshrined in the Constitution? Does the notion of the citizenship with rights explicated in the Constitution speak to the extensive and multidimensional poverty which researchers and academics explain as an outcome of colonialism, segregation and apartheid? Does the change from a society based on discrimination to a dispensation founded on the citizenship with rights demand different perspectives and point of reference when poverty is studied? Is there anything that can be read directly or inferred from the country's Constitution that is linked to understanding the nature and challenge of poverty in post-apartheid South Africa? Last, does the post-apartheid Constitution offer any direction on how the South African state (through

policy formulation), researchers and writers on poverty are to approach the conceptualization and definition of poverty in the democratic society?

The discussion here aims to demonstrate that the citizenship with rights presents a compelling and theoretically sound basis for the conceptualization and definition of poverty. For theoretical coherence in the study of poverty in South Africa, concepts, definitions, explanations and policies have to be interrelated and interconnected (Townsend, 2000). It is in this vein that South Africa's Constitution with its foundational values and principles is seen to be an important and veritable basis in informing the understanding of poverty and its concepts and definitions. The view is that the provisions of the post-apartheid Constitution cannot be ignored or dismissed.

Before delving into the substantive arguments, qualifications on the task and signposts of where the discussion is directed are essential. The exploration of the meaning of the citizenship with rights is undertaken within specific parameters. The investigation is limited to those principles and expressions in the Constitution and other relevant sources in so far as such principles and expressions relate to, directly or indirectly, the conceptualization and understanding of poverty. The discussion does not seek to cover every legal, political, economic, cultural or social aspect or perspective of post-apartheid citizenship. It is not a general treatise on the nature of citizenship in post-1994 South African society.

A further qualification to make is that between April 1994 and May 1996, the 'supreme law of the Republic' was the Interim Constitution of 1993 (RSA, 1993). This Constitution contained

‘fundamental rights’ covering ‘equality, human dignity, freedom and security of the person, freedom of expression, association, movement, citizens’ rights, political rights, children’s rights and a right to basic education’. The Interim Constitution is not as detailed and specific in its articulations on some of the rights found in the May 1996 Constitution. The point is made that the Interim Constitution, in its own right, began to express political, civil and some social and economic rights that indicated a break with the racially discriminatory system.

The meaning of citizenship is investigated and analysed through multiple sources and perspectives. These cover a reading of the text of the Constitution, judgements of the Constitutional Court, views of Justices of the Constitutional Court and writings of academics on South Africa’s social and economic rights. The discussion is structured in this way. First, is the close reading and comments on the text of the two South African Constitutions, namely the 1993 interim Constitution and the adopted 1996 Constitution. The main focus is on the May 1996 Constitution. This is the founding document that captures the values, principles and social and economic commitments of democratic South Africa. Second, is the consideration of the views of the Constitutional Court on key judgements that have been made since the Constitution came into effect. Third, since the adoption of the South African Constitution, on occasion, Justices of the Constitutional Court have expressed their own considered views on South Africa’s Constitution in general and its specific stipulations that relate to poverty (for example Chaskalson, 2000; Langa, 2003). Fourth, academics in South Africa have explored the meaning of South Africa’s citizenship with reference to social and economic rights. The analysis from this academic effort provides useful insights into the meaning of citizenship in South Africa.

As detailed in the earlier section on methodology of the thesis, the discussion integrates the views of policy makers and key opinion makers from the semi-structured, in-depth interviews conducted.

Having considered the origins, the meaning and understanding of citizenship in post-apartheid South Africa from the various sources and perspectives outlined above, the Chapter ends with a consideration of the implications for the conceptualisation and definition of poverty that arise from the interpretation and meaning of citizenship in the democratic era.

6.4 A reading of the Constitution: The historical context in understanding the citizenship with rights

Before placing the May 1996 Constitution under scrutiny, visiting some of the text of the 1993 Interim Constitution shows how the post-apartheid Constitutions are viewed in the context of the history of racial discrimination. The 1993 Interim Constitution under the heading 'National Unity and Reconciliation', reads:

> 'This Constitution provides a historic bridge between the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and a future founded on the recognition of human rights, democracy and peaceful co-existence and development opportunities for all South Africans, irrespective of colour, race, class, belief or sex ... The adoption of this Constitution lays the secure foundation for the people of South Africa to transcend the divisions and strife of the past, which generated gross violations of human rights, the transgression of humanitarian principles in violent conflicts and a legacy of hatred, fear, guilt and revenge ... With this Constitution and these commitments we, the people of South Africa, open a new chapter in the history of our country.' (RSA, 1993)

Continuing in the same orientation as the Interim Constitution, the Preamble to the May 1996 Constitution of post-apartheid democratic South Africa states that:

> 'We, the people of South Africa, recognise the injustices of our past; honour those who suffered for justice and freedom in our land; respect those who have worked to build and develop our country; and believe that South Africa belongs to all who live in it, united in our diversity. We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to; Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights; Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law; Improve the quality of life of all citizens and free the potential of each person; and Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.' (RSA, 1996a)

In this passage from the preamble of the Constitution, the vision of South African society is made clear and the goals informing the post-apartheid social and economic upliftment agenda are set. Right at the outset, this founding document of post-apartheid society acknowledges South Africa's past injustices. Part of the injustices of the past manifest in multidimensional poverty in South Africa affecting almost only the black population.

This historical context, the commitment to build a society that is in all aspects completely different to the apartheid system and the need to realise the aspirations of the struggle for freedom were echoed in the views of the key policy makers interviewed. In the view of Geoff Budlender[27], these articulations and commitments in the Constitution 'reflect in part the nature of the anti-apartheid struggle'. In the words of Vusi Madonsela, Director General of the Department of Social Development, South Africa's Constitution 'is an embodiment of new ideas that seek to distinguish us from the past'. According to Leila Patel, Director of the Centre

[27] Defence Counsel in the Constitutional Court of the RSA, The Government of the Republic of South Africa (first appellant), and others versus Irene Grootboom and others.

for Social Development in Africa, and Professor of Social Development Studies at the University of Johannesburg, and former Director General of the Department of Social Development:

> 'Our history has shaped the whole of South African society and there is no way we could have had a different Constitution … our Constitution has come organically from the struggles of the people in the Country. It is very much connected to what the people's demands have been in the past.'

As demonstrated in Chapter 3, the injustices arising from the apartheid state's policies and practices had the overall outcome of extensive poverty among blacks in South Africa (MacMillan, 1930; Burger, 1943; Hepple, 1959; Bundy, 1988; Wilson and Ramphele, 1989; Terreblanche, 2002). This is the reason, in the view of Justice Yvonne Mokgoro, Justice of the Constitutional Court of South Africa, that:

> 'Our Constitution defines us. It says to us this is who we are. This is where we come from. And that is where we want to go to. And this is how we are going to get where we want to. Our Constitution has been designed to answer to South Africa. It creates a whole new society.'

Resonating in the views of the key opinion makers and policy makers cited above and captured in their selection of words are phrases such as 'the anti-apartheid struggle', 'new ideas', 'struggles of the people in the Country', 'people's demands' and a Constitution that 'creates a whole new society'. A commitment to 'healing the divisions of the past' means, first and foremost, that a thorough analysis, understanding and appreciation of the social, political and economic outcomes of the past on the quality of lives of millions of South Africans has to be established. As Justice Albie Sachs of the Constitutional Court of South Africa stated in relation to challenges in the post-apartheid era, 'the fundamental issue is a deeply skewed society in which the racialised patterns of the past play out in a very profound way today'. The healing

of the divisions of the past, if it is well established what the past was about, extends to the tackling of poverty that affects the majority of South Africans.

The link between the Constitution and the citizenship with rights through social and economic inclusion was expressed by Geoff Budlender in this way:

> 'What the Constitution is saying is that being a citizen is not only about having the vote and an identity document and the right to live anywhere in the country. It is about social citizenship as well. Citizenship is not only political citizenship! It is also social and economic citizenship. When you are socially and economically marginalised and excluded, your citizenship is undermined. You are not truly a full member of society.'

Jody Kollapen, Chair of the Human Rights Commission, argued from the same perspective and sees South Africa's Constitution as unique because of its 'commitment to advance social and economic rights'. The inclusion of these rights was in his view 'very courageous because this has placed the state under considerable obligation to give effect to these'.

The observation by Wilson (2005) that 'indeed, one way of interpreting the policy of apartheid as introduced in 1948 and the decades that followed, is to see it as a highly effective anti-poverty programme … for whites only' is insightful in this regard. In the democratic period, the state, directed by the values and aspirations in the Constitution, must formulate and implement, to borrow from Wilson (2005) above, 'a highly effective anti-poverty programme … for all South Africans'. The role of the post-apartheid Constitution as a tool against poverty has been referred to in various analysis and interpretations of the object and purport of this founding document (De Vos, 1997; Liebenberg, 1998; van Bueren, 1999; Liebenberg, 2002).

As Sibonelo Khoza, Head of the Community Law Centre, University of the Western Cape, argued in the interview ‘when the Constitution was passed, widespread poverty was already prevailing in South Africa and it is within the context of widespread poverty that the Constitution sought to address that issue ... in a comprehensive way’.

The reading of the text of the Constitution outlined here, not only shows a recognition of the past social, political and economic system based on discrimination, the reading also shows a clear commitment to address the outcomes of the past and ‘improve the quality of life of all citizens’. This is where the socio-economic rights find their function and purpose. Therefore, in the Preamble that outlines the broad pillars of the Constitution, addressing poverty is right up there as a main concern.

6.5 A reading of the Constitution: social justice, human dignity and improving the quality of life of all citizens

It is apt to note that the socio-economic rights in the Constitution do not just stand alone on their own. The socio-economic rights stand in a broader constitutional context. The socio-economic rights form an integral part of the creation of a society based on democratic values, social justice and fundamental human rights. As Rawls (1999), Atkinson (1983) and Barry (1989), just to mention a few, discuss, the notion of social justice is paramount in societies that seek equality, equity and inclusiveness. Therefore, the socio-economic rights in the Constitution become indispensable enablers to the commitment to address poverty and the

attainment of social justice. Various sections of the Constitution call on the state to respect, protect, promote and fulfill political, civil, social and economic rights and the rights of children.

The socio-economic rights in the Constitution create a minimum platform or minimum core with guaranteed entitlements for citizens. To borrow from Plant (1988), South Africa's social and economic rights represent 'the social goods of citizenship'. That is the substantive element of the social justice in the Constitution. In the post-apartheid context the citizenship with rights embodied in the social and economic rights speaks to, first, specific entitlements that citizens have, second, the citizenship with rights speaks to building a social, political and economic dispensation that is founded on social justice. The critical element of social justice in the post-apartheid democratic period is distributive justice through constitutionally guaranteed social and economic entitlements that relate directly to multi-dimensional poverty. In the South African context, a cogent argument can be made that the provision of adequate housing, quality health care, food, water, social assistance and quality education, and for children, basic nutrition, shelter, basic health care services and quality social services, will mean that the social and economic outcomes of the social, political and economic injustices of the apartheid era are addressed and social justice will be attained.

In a discussion of the concept of social justice, the United Nation's International Forum for Social Development traces the emergence of the call for social justice as an:

> '... expression of protest against what was perceived as the capitalist exploitation of labour and as a focal point for the development of measures to improve the human condition. It was born as a revolutionary slogan embodying the ideals of progress and fraternity … In the contemporary context, social justice is typically taken to mean distributive justice.' (United Nations, 2006)

The significance and relevance of this perspective on social justice in a country with a history of social and economic injustice is compelling and reinforces the views expressed by policy makers and key opinion makers interviewed. The Constitution provides 'a normative function and sets a framework for what South Africans ought to achieve in terms of citizenship entitlements' (Interview Philip Browne[28], United Nations Development Programme, South Africa). The concept of social justice, as employed in the text and context of the South African Constitution and in its substantive meaning provides yet another link to the citizenship with rights and the commitment to fight poverty in its many manifestations.

The entitlements in the Constitution are active in that they bind the state in such a way that the state 'does not have an unfettered discretion in terms of how it devises its policies and its programmes as that discretion is governed by the Constitution' (Interview Jody Kollapen, Chair of the South African Human Rights Commission). The Constitution, through social and economic rights tells us that:

> 'For us to get to where we need to be, there are certain things that we have to address irrespective of which political party is in power and these are the fundamentals through which we take away discretion. We say these are the things we must meet. Political parties may differ on some choices in terms of what route they take in order to give effect to the rights.' (Interview Vusi Madonsela, Director General, Department of Social Development, South Africa)

In the interviews, the key opinion makers and policy makers brought forth the issue of human dignity in the Constitution and linked human dignity to poverty in a direct way. According to Justice Sachs, in the interview conducted, 'one of the features of the Constitution is a very strong emphasis it places on human dignity and the Constitution has a comprehensive Bill of

[28] Head of Programmes, United Nations Development Programme, South Africa.

Rights which does not simply defend fundamental civil and political rights, but puts a strong emphasis on the progressive realization, depending on available resources, of basic social and economic rights. In the words of Jody Kollapen:

> 'If we look again at social and economic rights ... that is what the commitment is. Housing, health care, social security, food and water, education. So if we take that as a basket of imperatives that go to the very heart of human existence and we say that has to be secured. That is the first step. We at least have a definition of what human dignity would consist of.'

Justice Mokgoro saw the issue of human dignity in the same manner. According to her:

> 'Values which are contained in the Constitution are freedom, equality and human dignity. If you look at those, they are so basic to what was denied to South Africans in the past. They are so basic to what is intended to base South African society of the future. And they are so basic to the transformation of South African society. The Constitution protects access to these socio-economic needs. These basic needs, housing, health, food … all so basic to human rights and basic dignity. It is about human dignity. Quality of life is about human dignity.'

Sibonelo Khoza affirmed these observations by alluding to the fact that 'even though the Constitution does not say in express terms this is what poverty is, it talks about human dignity as a value and that is an important supplemental element of eradicating poverty'.

An investigation that seeks to establish a relation between South Africa's Constitution and the understanding of poverty in post-apartheid society has to analyse the constitutional commitment to 'improve the quality of life of all citizens and free the potential of each person' (RSA, 1996a). Under apartheid, the quality of life of those who were discriminated against was severely compromised. Social indicators from the apartheid era attest to this fact. Under apartheid, South African society was characterised by high levels of malnutrition, disease, infant and maternal mortality, stunted growth among children, unemployment, lack of housing,

lack of access to essential basic services, low levels of education, landlessness and many other social ills. The highest concentration of these was in the black population.

At a general level, one can argue that the role of the state in all democratic societies is to secure the welfare of its citizens. The fact that the South African state makes a categorical commitment to improve the quality of life of all citizens and free the potential of each person is significant. This commitment by the post-apartheid state comes from the knowledge and awareness of the outcomes of racial discrimination. South African citizens, according to the Constitution, cannot be left on their own to devise the means and ways to improve their lives. The state commits to taking the lead through this explicit statement which, inexorably, has to extend to how poverty is conceptualised and defined in government policy documents.

In short, the citizenship with rights deriving from the social and economic rights in the Bill of Rights, considered with social justice, human dignity and the commitment to improve the quality of life of all citizens and free the potential of each person, all together form a coherent policy reference point that has to inform the understanding and approach to poverty in the democratic society.

6.6 The meaning of citizenship in post-apartheid democratic South Africa: A selection of key judgements of the Constitutional Court

The Constitutional Court is the custodian of the Constitution with regard to its meaning and interpretation in both legislative and policy matters. It is for this reason that it is imperative to read and analyse the content of judgements from this court. It is in these judgements that the

meaning and intent of the Constitution, and the society it serves, are contained. The interest is in the judgements of the Constitutional Court in so far as these relate to the meaning of the post-apartheid citizenship, and recognise the link between the Constitution and addressing poverty in South Africa.

There are many seminal cases that have come to the Constitutional Court since the advent of democracy. For the purpose of this discussion, the Constitutional Court judgements that are considered are the following;

i. Constitutional Court of the Republic of South Africa, *State versus T Makwanyane and M Mchunu,* Case No. CCT/3/94, heard on 15 February to 17 February 1995, judgement delivered on 6 June 1995 (RSA, 1995b).
ii. Constitutional Court of the Republic of South Africa, *T Soobramoney versus Minister of Health (KwaZulu-Natal),* Case No. CCT/32/97, respondent heard on 11 November 1997, decided on 27 November 1997 (RSA, 1997b).
iii. Constitutional Court of the Republic of South Africa, *The Government of the Republic of South Africa (first appellant), and others versus Irene Grootboom and others,* Case No. CCT 11/00, respondents heard on 11 May 2000, decided on 4 October 2000 (RSA, 2000c).
iv. Constitutional Court of South Africa, *Minister of Health (first appellant) and others versus Treatment Action Campaign (first respondent) Dr Haroon Saloojee (second respondent) Children's Rights Centre (third respondent)* together with Institute for Democracy in South Africa (first amicus curiae) Community Law Centre (second amicus curiae) Cotlands Baby Sanctuary (third amicus curiae), Case No. CCT 8/02, heard on 2, 3 and 6 May 2002, decided on 5 July 2002 (RSA, 2002a).

These cases are selected on the basis of their direct relevance to the issue of socio-economic rights and the fact that these cases deal with different aspects of poverty. Importantly, these cases present the interpretation of the Constitutional Court on the meaning of citizenship. The issue of concern is not the legal merits or demerits of these seminal cases that, without doubt, continue to shape in many ways post-apartheid South Africa's jurisprudence. The interest is in the arguments contained in the judgements in so far as the arguments relate to the link between the Constitution and poverty.

Whilst in the Soobramoney case the claim was dismissed, the arguments of the Constitutional Court on the aspirations of South Africans through the Constitution and the statements on the issue of poverty are illuminating in a fundamental way. The placing of the Constitution in the context of South Africa's history of discrimination and the role of the Constitution in reversing the outcomes of this history has also been amply alluded to by the Constitutional Court. The understanding of the post-apartheid Constitution and its provisions within South Africa's social and political context is repeated in nearly all judgements from the Constitutional Court. In *State versus Makwanyane*, Justice Chaskalson made the point that 'the Constitution must not be construed in isolation, but in its context, which includes the history and background to the adoption of the Constitution' (RSA, 1995b). In the same judgement, Justice Ackermann speaks about 'in reaction to our past' and 'we have moved from a past'. In similar fashion, Justice O'Regan argued that:

> 'The values urged upon the court are not those that have informed our past. Our history is one of repression not freedom, oligarchy not democracy, apartheid and prejudice not equality, clandestine not open government.' (RSA, 1995b)

In *Soobramoney versus Minister of Health (KwaZulu-Natal)*, Justice Madala, voicing his understanding of some of the rights in the Constitution, saw them as 'an indication of what a democratic society aiming to salvage lost dignity, freedom and equality should embark upon' (RSA, 1997b). The same historical interpretation is evident in the *Government of the Republic of South Africa and others versus Irene Grootboom and others* where Justice Yacoob put forth the view that 'interpreting a right in its context requires the consideration of two types of context ... On the one hand, rights must be understood in their textual setting … [and] … on the other hand, rights must also be understood in their social and historical context' (RSA, 2000c).

The Constitutional Court has on occasion expressed a very direct connection between the provisions in the Constitution and poverty in post-apartheid South Africa. One such occasion was the judgement in Soobramoney versus Minister of Health (KwaZulu-Natal). The Constitutional Court framed its views in this way:

> 'We live in a society in which there are great disparities in wealth. Millions of people are living in deplorable conditions and in great poverty. There is a high level of unemployment, inadequate social security, and many do not have access to clean water or to adequate health services. These conditions already existed when the Constitution was adopted and a commitment to address them, and to transform our society into one in which there will be human dignity, freedom and equality, lies at the heart of our new constitutional order. For as long as these conditions continue to exist that aspiration will have a hollow ring.' (RSA, 1997b)

In this passage there is an unambiguous reference to the Constitution and the commitment to fight poverty. In this judgement the issue of poverty, that is, "millions of people are living in deplorable conditions and in great poverty" is not an issue on the periphery but "lies at the heart of our new constitutional order". This is a compelling formulation as to the argument that South

Africa's Constitution must be the point of reference in the conceptualisation and definition of poverty.

In the *Government of the Republic of South Africa and others versus Irene Grootboom and others* judgement, the transformative goal of the Constitution and conditions of poverty under which millions of South Africans live are again central. In this case, the view of the court was that 'there can be no doubt that human dignity, freedom and equality, the foundational values of our society, are denied those who have no food, clothing or shelter' (RSA, 2000c). The Grootboom case 'grapples with the realisation of these aspirations for it concerns the state's constitutional obligations in relation to housing: a constitutional issue of fundamental importance to the development of South Africa's new constitutional order' (RSA, 2000c). Here the issue of 'constitutional obligations' on the state and the 'realisation of aspirations' is raised. Therefore, not only are the socio-economic rights enshrined, there is an obligation to act, through state policies, towards their realisation.

In the same judgement the Constitutional Court went on to assert that:

> '... socio-economic rights are expressly included in the Bill of Rights; they cannot be said to exist on paper only ... the right of access to adequate housing is entrenched because we value human beings and want to ensure that they are afforded their basic human needs. A society must seek to ensure that the basic necessities of life are provided to all if it is to be a society based on human dignity, freedom and equality ... the goal of the Constitution is that the basic needs of all in our society be effectively met.' (RSA, 2000c)

One cannot escape the fact that the reference to socio-economic rights, basic human needs, the basic necessities of life all link to the issue of poverty in post-apartheid South Africa.

The *Minister of Health and others versus Treatment Action Campaign and others* is another Constitutional Court case that shed light on the meaning of citizenship. This case is relevant in the sense that state policy was seen to be in violation of the Constitution. As stated in the judgement 'at issue here is the right given to everyone to have access to public health care services' (RSA, 2002a). Section 27 of the Constitution places an obligation on the state to provide health care services. The Constitutional Court making reference to HIV/AIDS maintained that:

> 'We are also conscious of the daunting problems confronting government as a result of the pandemic. And besides the pandemic, the state faces huge demands in relation to access to education, land, housing, health care, food, water and social security. These are the socio-economic rights entrenched in the Constitution, and the state is obliged to take reasonable legislative and other measures within its available resources to achieve the progressive realisation of each of them. In the light of our history this is an extraordinarily difficult task. Nonetheless it is an obligation imposed on the state by the Constitution.' (RSA, 2002a)

This imposition, the constitutional obligation, is one which the state cannot escape without being in violation of the supreme law of the land and going against the aspirations expressed by South Africans in the Constitution. This is not an insignificant aspect of post-apartheid South Africa's citizenship directed at addressing a key social issue, health care. The Constitutional Court made the point that:

> '... where state policy is challenged as inconsistent with the Constitution, courts have to consider whether in formulating and implementing such policy the state has given effect to its constitutional obligations ... [as] ... policies must be consistent with the Constitution and the law.' (RSA, 2002a)

The state's case was dismissed on the grounds that the Constitutional Court 'identified aspects of government policy that are inconsistent with the Constitution' and 'the state is under a

constitutional duty to comply' and 'its policy fails to meet constitutional standards' (RSA, 2002a) .

In this overview of the four seminal cases and judgements of the Constitutional Court, the link between South Africa's Constitution and poverty is evident in the arguments and statements of this court. The meaning and interpretation of citizenship emanating from the institution that is the custodian of the Constitution points to the direct link between specific provisions in the Constitution and poverty.

6.7 The meaning of citizenship in post-apartheid democratic South Africa: Views of Justices of the Constitutional Court speaking outside the courtroom

The Constitutional Court has the 'duty to act as an independent arbiter of the Constitution' (RSA, 1995b) in both the direct meaning of the Constitution and its interpretation. In the words of the Chief Justice of the Constitutional Court, members of this court are:

> '... umpires to ensure that growth, development, transformation, including the positive obligations that the Constitution imposes on the state, and the exercise of power in all its manifestations, is carried out in accordance with the provisions of the Constitution and its values.' (Chaskalson, 2003)

Justices of the Constitutional Court, have on a number of occasions, on platforms and at events outside the court, expressed their views on the meaning of post-apartheid citizenship. Examples

of these occasions are many. The overview here presents the more insightful comments from the Justices speaking outside the courtroom on the meaning of citizenship.

In the words of Deputy Chief Justice Langa, 'the Constitution is founded on the recognition and acknowledgement of the wrongs of our past' and 'a past that has been comprehensively disowned by the people of South Africa' (Langa, 2003). According to Chief Justice Chaskalson, 'in the light of our history the changes brought about initially by the interim Constitution and subsequently confirmed by the 1996 Constitution are revolutionary' (Chaskalson, 2000: 199).

The President of South Africa emphasised this role of the judiciary at the National Judges Symposium in July 2003 when he referred to the country's judicial magistry as 'faithful guardians of the Constitution' (Mbeki, 2003). Davis et al, (1994: 3), making an observation along similar lines as the argument in this Chapter, see judges as 'custodians of the vision of society outlined in the Constitution'. How then have the custodians of the vision of post-apartheid South African society linked the Constitution to poverty?

In a statement at the National Judges' Symposium, South African judges made the point that:

> 'The vision of our Constitution is to establish an open democracy committed to social justice and the recognition of human rights. It seeks to 'improve the quality of life of all citizens and free the potential of each person'. The symposium noted that while many millions live in deep poverty, this vision cannot be achieved.' (National Judges Symposium, 2003)

This point and observation was further emphasised by the Deputy Chief Justice Langa at the same symposium when he made the assertion that:

> '... it remains true that the constitutional vision to improve the quality of life of all citizens and free the potential of each person will not be achieved until the poverty and the deprivation suffered by millions of South Africans and the divisive legacy left by apartheid in human relations has been overcome.' (Langa, 2003)

On South Africa's Bill of Rights, the Deputy Chief Justice continued:

> 'When the Bill of Rights was adopted, it was envisaged that it would achieve certain important objectives. One of them was that it would be an instrument to aid the poorest and the weakest; that it would accelerate the push towards the achievement of equality and the restoration and recognition of human dignity as well as the enforcement of the state's positive obligations.' (Langa, 2003)

In an illuminating discussion under the heading Social Justice – The enforcement of socio-economic rights', Deputy Chief Justice Langa makes the point that:

> 'The socio-economic rights in the Constitution quite clearly reflect a commitment to social upliftment' … [and] … the constitutional commitment to address these conditions … [of poverty] … is also reflected in various provisions of the Bill of Rights, in particular those that deal with housing, health care, food, water and social security.' (Langa, 2003)

A reading of the judgements of the Constitutional Court and the views of the justices expressed elsewhere show a striking concurrence of opinion among members of the court when it comes to interpreting the object and purpose of South Africa's post-apartheid Constitution. The Chief Justice of the Constitutional Court pointed to the 'transformative goals of the Constitution' (Chaskalson, 2000) and that South Africa's socio-economic rights in the Bill of Rights are 'rooted in respect for human dignity' (Chaskalson, 2000). The Chief Justice asks 'for how can there be dignity in a life lived without access to housing, health care, food, water or in the case

of persons unable to support themselves, without appropriate assistance?' (Chaskalson, 2000). In agreement with the Chief Justice, in the interviews both Justice Sachs and Justice Mokgoro repeatedly referred to the transformative goal of the Constitution with regards to the material conditions of all South Africans. The views of Justices of the Constitutional Court expressed in platforms outside the Court, indicate how the Justices of the Court have elaborated on the link between the South African Constitution and addressing multi-dimensional poverty.

6.8 Socio-legal analysis and interpretation of the meaning of citizenship from academics in South Africa

How have academics in South Africa explained the meaning of citizenship and the link between socio-economic rights in the Constitution and poverty? Academics in the socio-legal field have analysed, interpreted and argued for a particular meaning of South Africa's citizenship in relation to social and economic rights in the Bill of Rights. As readings in the socio-legal and human rights law literature show, the inclusion of socio-economic rights was not uncontested. Academics in South Africa fully took part in this contestation providing a range of perspectives. On the political front, the chief protagonists in the political negotiations, namely the ANC and the National Party, held different views on the inclusion of social and economic rights and making these rights justiciable. De Villiers (1994) reminds us that:

> 'The opening bids of the political parties made it clear from the outset that the issue of social and economic rights was at the heart of a new political, social and economic dispensation. The African National Congress (ANC) advocated a Bill of Rights that included far-reaching social and economic rights, such as the freedom from hunger and the right to shelter, good health and employment.' (De Villiers, 1994: 599)

Constitution-enshrined socio-economic rights were unprecedented and were unchartered waters in South Africa's socio-legal and human rights landscape. Debates and arguments on

the need to include or exclude these rights ensued in academic journals in the period leading to the adoption of the 1996 Constitution and after. In the words of Liebenberg (2002: 3) 'one of the major issues of debate around the drafting of the 1996 Constitution was whether socio-economic rights should be included in the Bill of Rights as justiciable rights'. Outside of the academic circles:

> 'A coalition of civil society organizations, including human rights and development NGOs, church groups, civics and trade unions campaigned vigorously for the full inclusion of socio-economic rights in the Bill of Rights. They argued that the struggle against apartheid was as much about access to socio-economic rights, such as the right to land, housing, education and health care, as it was about the right to vote and other civil liberties.' (Liebenberg, 2002: 3)

There was general consensus on the inclusion of civil and political rights. There was disagreement on the inclusion of social and economic rights. Those who argued against inclusion pointed to, among other issues, the different generations of rights and the need for the separation of powers wherein the judiciary cannot dictate policy decisions and resource distribution to the executive.

However, as van Bueren (1999: 245) in reference to South Africa's Constitution as a mechanism to fight poverty notes, 'poverty does not sub-divide neatly into separate rights ... it can only be tackled by a strategic and integrated approach'. Of significance to the strands of arguments in this thesis are the reasons advanced by a number of academics for the inclusion of socio-economic rights in the post-apartheid Constitution. In the view of De Villiers (1994):

> 'South Africa, as a developing country, may find it difficult to convince its millions of squatters and poverty-stricken people that the protection of civil and political rights is of value to them if they do not have the material, intellectual and social ability and circumstances to make use of such rights.' (De Villiers, 1994: 621)

Liebenberg (2002) casting socio-economic rights in the broad development context of post-apartheid South Africa makes the assertion that 'realising socio-economic rights is indispensable to the success of South Africa's constitutional democracy and to ensuring that the core constitutional values are meaningful to the whole population of the country' (Liebenberg, 2002: 6-7). Heyns and Brand (2004) are in averment when they state that:

> 'If socio-economic rights were not given meaningful protection by the Constitution … the legitimacy of the Constitution would suffer because people would be bound to say it did not deal with their most fundamental needs. This raised the spectre of angry and disillusioned people holding up the Constitution and asking whether it is what the struggle was all about.' (Heyns and Brand, 2004: 26)

As argued by the different writers cited above, there is a compelling premise that emerges from the inclusion of socio-economic rights. These rights, as shown above, were struggled for, contested over, and won. In surveying the views of academics on the link between socio-economic rights and poverty a crucial point to start from is the inclusion of socio-economic rights as a direct fight against poverty. In the words of Heyns and Brand (2004: 26) this was a fight for 'the most fundamental needs'. If the socio-economic rights are an expression of the need to fight poverty and speak to the 'millions of squatters and poverty-stricken people' and are 'indispensable to the success of South Africa's constitutional democracy' and are there to assure people that the Constitution does 'deal with their most fundamental needs', therefore the socio-economic rights in the Bill of Rights have to be a point of reference in the understanding of poverty in post-apartheid South Africa.

In describing the character of the South African Constitution and alluding to the citizenship with rights academics have demonstrated the direct link between socio-economic rights and poverty. For instance according to De Vos (2001: 268) 'any interpretation of constitutional

rights must be based on the understanding that one of the aims of the Bill of Rights is to facilitate the transformation of society, and this cannot be done when the state fails to address its citizens' basic social and economic needs'. Brand (2005: 1) points out that 'the South African Constitution differs from a traditional liberal model in that it is transformative, as it does not simply place limits on the exercise of collective power (it does that also), but requires collective power to be used to advance ideals of freedom, equality, dignity and social justice'. Liebenberg and Pillay (2000: 1) advance the view that 'apartheid has left a deep legacy of poverty and inequality in South Africa, the inclusion of a broad range of socio-economic rights in the 1996 Constitution reflects South Africa's strong commitment to reconstruction, development and social justice for all'.

Bilchitz (2003: 4) writes that 'the socio-economic rights can offer important protections to the vulnerable'. Van Bueren (1999) makes a case for using the Constitutional Court to fight poverty. Basing her arguments on socio-economic rights, and children's rights specifically, van Bueren (1999: 53) states that 'constitutional litigation has the potential to play an important role within a broader eradication of poverty strategy'. In the same flow of thinking, Liebenberg (2002: 2) refers to the 'strategic importance of socio-economic rights as tools in anti-poverty initiatives'.

The emphasis by the writers mentioned above on 'social justice' which is a foundational value of the South African Constitution, reference to 'basic social and economic needs', 'protection of the vulnerable' and 'anti-poverty initiatives' attests to the inextricable link between socio-economic rights and poverty in the post-apartheid social policy context. Following the same line of thought, for Brand (2005: 3) 'socio-economic rights create entitlements to material conditions for human welfare'. De Vos (1997) interrogates Section 28 of the Constitution

(every child has the right to basic nutrition, shelter, basic health care services, and social services) and asks 'what does this mean?' and goes on to answer this way:

> 'I would venture that the constitution enunciates the rights of children as clear, near-absolute core entitlements that are necessary to provide the basic subsistence needs of children, the most vulnerable group in any state. The rights have been worded in a precise and restrictive way, first by referring to 'basic' nutrition and health care services, and secondly by restricting the right holders to children. I believe that these rights are provided as a safety net in cases of deprivation, neglect, starvation and abuse, and place an onus on the state to deliver such services only where they are non-existent or inadequate.' (De Vos, 1997)

For Liebenberg (2002: 1-7) socio-economic rights reflect a concern with the 'well being of people' and 'a society based on human dignity, equality and freedom strives to ensure that the basic necessities of life are provided to all'. Further, Liebenberg and Pillay (2000: 16) inform us that 'the aim of recognizing socio-economic rights is to ensure that all human beings have access to resources, opportunities and services needed for an adequate standard of living'.

In a few instances academics have gone on to prescribe that socio-economic rights should have a direct influence on policy making and inform decision making on poverty issues. Expressing this view, Brand (2005: 2) argues that 'constitutional socio-economic rights are blueprints for the state's multifold activities that proactively guide and shape legislative action, policy formulation and executive and administrative decision making'. Evidently this policy formulation extends to policies to address poverty which require concepts and definitions that project from the constitutional prescripts. For Liebenberg (2001: 17):

> '… the ultimate test of giving constitutional recognition to these rights is whether they result in real improvements in the quality of life of all. This can only occur if these rights precipitate concrete changes in social policies and laws so that they are responsive to the needs of the poor.' (Liebenberg, 2001: 17)

The explanation of the meaning of citizenship by the academics and writers cited here arrives at the conclusion that there is a connection between socio-economic rights in the Constitution and the understanding of poverty and therefore by extension its definition in the democratic era.

6.9 Implications for the conceptualisation and definition of poverty

The various sections of this Chapter collected and provided scholarly evidence to show that in post-apartheid South Africa there is a link between, first, the origins of the meaning of citizenship in democratic South Africa, second, judgements of the Constitutional Court, third, the views of Justices of the Constitutional Court, and, fourth, the considered observations of academics in South Africa writing on socio-economic rights, and how poverty is to be understood and defined. This Chapter traced and analysed the contents of statements and documents from the ANC (the majority ruling party in post-apartheid democratic South Africa) such as the 1923 Bill of Rights, the 1943 Africans' Claims, the 1955 Freedom Charter and other key texts. These historic statements and documents express and articulate the vision of the type of society struggled for and the fight for full citizenship. The values and principles, the nature and content of the citizenship with rights in a post-racial discrimination society are stated. These values and principles and the citizenship with rights are important as they form the conceptual platform on which the understanding of poverty has to emanate and be built on.

The South African Constitution is, conceptually, a continuation of the long tradition of the struggle for inclusive citizenship. The Constitution, in similar fashion to the other documents

and statements before it, enshrines values, principles and provisions that are the social and political foundation of the post-apartheid society. The post-apartheid Constitution goes further in that it enshrines socio-economic rights in the Bill of Rights that are to address basic social and economic needs. In the post-apartheid era as long as these Constitution guaranteed basic social and economic needs are not addressed, it will mean that the multi-dimensional poverty that the Constitution seeks to eradicate will remain. It is for these reasons that the socio-economic rights carry implications in the understanding and definition of poverty. In the analysis of post-apartheid South Africa from a social policy perspective, these implications are paramount and therefore are unavoidable.

An important aspect of South Africa's Constitution, for the millions who live in poverty, is a clear expression of a set of material rights that must be enjoyed by all South Africans and must be respected, protected, promoted and fulfilled by the South African state in all its laws, policies and programmes. Poverty, we infer from the Constitution, is multi-dimensional, hence the commitments to adequate housing, health care, food, water, social security and basic education and comprehensive social and economic provision for children. The imposition and obligation on the state to fulfil these social and economic needs is direct and instructive. The question posed at the beginning of this Chapter, that is, does the post-apartheid democratic Constitution offer any guidance and direction on how the South African state (through its policy formulation), researchers and writers on poverty are to approach the understanding, conceptualization and definition of poverty in post-apartheid South African society, becomes relevant here. The answer to this question from the interpretation of the meaning of citizenship emanating from the different sources expressed in this Chapter is that the post-apartheid Constitution is instructive on key social and economic issues that form the core of multi-dimensional poverty in the post-apartheid era.

The link between the South African Constitution and poverty, and therefore the implications of this link in the conceptualisation and definition of poverty is fortified by the views and conclusions evident in the judgements of the Constitutional Court, the considered views of Justices of the Constitutional Court and the writings of South African academics. Here again, it is pertinent to pose the question on whether poverty in the post-apartheid democratic era can be conceptualised, understood and defined outside the constitutional provisions, outside the social and economic rights, and without consideration of the compelling views and conclusions of the Constitutional Court. Added to this weight of evidence are the observations on this issue by the key opinion makers and policy makers in South Africa. In democratic South Africa, it is fair to conclude, if poverty is understood and defined without primary consideration of the Constitution and taking its provisions into account, such an understanding and definition of poverty will be in discord and will stand in violation of what South African society has committed itself to in terms of social and economic provisions in the democratic period.

Further, the contestations over the inclusion of socio-economic rights in the 1996 Constitution presents evidence that cannot be overlooked of the aspirations of South Africans on the nature and content of rights and entitlements to be enjoyed by citizens in addressing multi-dimensional poverty. The South African Constitution had to contain and carry the vision and aspirations of the struggle for inclusive citizenship. This vision and aspiration talk to a specific set of rights and entitlements for an acceptable standard of living that, in the view of the key opinion makers and policy makers interviewed, is not subject to the discretion of successive governments and political parties.`

It is important to reiterate the point that, in this thesis and its arguments, the Constitution is not seen or viewed as providing a definition of poverty. The Constitution is seen and viewed as providing a compelling conceptual platform in the understanding and definition of poverty in post-apartheid South Africa. Conceptualising poverty in the post-apartheid era has to consider both the social and economic rights in the Bill of Rights as well as the foundational values of human dignity and social justice and the commitment to improve the quality of life of all South Africans.

The constitution provides, through phrases such as 'democratic values', 'social justice', 'fundamental human rights', 'improve the quality of life of all citizens', 'human dignity', the Bill of Rights and socio-economic rights, a compelling, well formulated basis and foundation for the understanding and conceptualization of poverty from which definitions of poverty can be constructed. This statement is not an attempt to argue that just because the constitution stipulates, then it will indeed be so in reality and practice. Contestations, power relations, varied interests, social struggles and campaigns are the lot of human societies. Post-apartheid South African society is no exception in this regard.

A further issue that is of critical import in using the South African Constitution as a point of reference in perspectives and approaches to poverty in the democratic society is the bind of the Constitution on the state on the progressive realisation of social and economic rights. Whilst there is a qualification that 'the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation' (RSA, 1996a) of the social and economic rights, the state is to all intent and purpose bound and obliged to ensure that all South African citizens enjoy these rights and entitlements.

In order to ensure that the state does not escape the duty and obligation on the realisation of social and economic rights, the Constitution established the South African Human Rights Commission. As spelt out in Section 184 (3) of the Constitution, the Commission has the role, among others, to ensure that:

> 'Each year, the South African Human Rights Commission must require relevant organs of state to provide the Commission with information on the measures that they have taken towards the realisation of the rights in the Bill of Rights concerning housing, health care, food, water, social security, education and the environment.' (RSA, 1996a)

Under this obligation all government departments are legally bound to furnish the South African Human Rights Commission with reports on progress that is being made towards the realisation of the social and economic rights in the Constitution. In its 7th Report, the Commission cites the following departments as 'key departments and their provincial counterparts from whom the Commission requested submissions' (SAHRC, 2010), namely the Department of Agriculture, Department of Basic Education, Department of Environmental Affairs and Tourism, Department of Housing, Department of Minerals and Energy, Department of Local and Provincial Government, Department of Water Affairs and Forestry, Department of Rural Development and Land Affairs, Department of Health, Department of Social Development.

Therefore, in addressing multi-dimensional poverty, the South African state is duty bound to continuously assess the progress it is making. The assessment of progress made is against the provisions of the South African Constitution. This highlights the relevance and weight of the Constitution in relation to multi-dimensional poverty.

6.10 Concluding remarks

This Chapter set out to explore the origins of the citizenship with rights that defines post-apartheid South Africa. The meaning of citizenship in the democratic era was fully explored. The Chapter began by tracing and locating the 1996 South African Constitution within a historical trajectory and context of the struggle for full citizenship. The 1923 Bill of Rights, the 1943 Africans' Claims, the Freedom Charter and other key texts from the ANC in the period leading to the 1994 democratic elections are shown to be important antecedents to South Africa's Constitution that enshrines a comprehensive citizenship with rights. All these documents and texts inform us about the values and principles that are to underpin a post-apartheid society. The South African Constitution enshrines these values and principles and provides a Bill of Rights with socio-economic rights. The Constitutional socio-economic rights are the primary link between the country's Constitution and the conceptualisation and definition of poverty.

Enriching the account of the origins and meaning of the citizenship with rights in the post-apartheid era are the views of key opinion makers and policy makers who see a clear connection between the South African Constitution and the poverty under which millions of South Africans live.

The analysis of the content and text of the Constitution, judgements of the Constitutional Court, views of Justices of the Constitutional Court and writings of academics on socio-economic

rights in South Africa, all point to a convergence on the link between the Constitution and multi-dimensional poverty. This is captured in both the values and principles of the Constitution and the specific provisions in the Bill of Rights. The central argument advanced in this Chapter points to an inescapable relevance of the South African Constitution as a point of reference in understanding poverty in the post-apartheid society. This understanding of poverty that is based on the Constitution carries significant implications for the definition and measurement of poverty in democratic South Africa.

Chapter 7 The conceptualisation and definition of poverty in democratic South Africa: the apartheid legacy

7.1 Introduction

The conceptualisation and definition of poverty in post-1994 South Africa carry critical implications for the development of policies for its reduction and eradication. An illustration of the significance of this point is apt. As shown in Chapter 2, in Britain, the use of subsistence, physical efficiency poverty lines from about the 1900s to the 1960s led to the conviction that poverty had been eliminated in Britain (Abel-Smith and Townsend, 1965). Rowntree's 1951 study of poverty in York concluded that numbers of the working class in poverty fell from 31 percent to 3 percent between 1936 and 1951 (Rowntree 1941, 1951; Sen 1983). Townsend's (1979) survey in *Poverty in the United Kingdom: a survey of household resources and standards of living*, using deprivation indices, provided overwhelming empirical evidence that refuted the claims of the elimination of poverty in Britain.

This is the important backdrop against which the conceptualisation and definition of poverty in the democratic era is investigated. For effective policies from government departments to be developed and progress on these policies to be monitored and evaluated, a precise definition of the phenomenon of interest, poverty in this instance, is paramount. What is to be reduced or eradicated has to be known, its occurrence quantified. In social policy the understanding is that in policy planning, policy formulation, policy implementation, policy monitoring and the evaluation of the impact of a policy, requires a clear definition of the social phenomenon that

the specific policy is aimed at. This applies equally to poverty. In post-apartheid South Africa with poverty being one of the key challenges, coherence in conceptualisation, definition and measurement and policy is expected.

The concern with poverty is emphasised in both the political statements made and the policy objectives stated. This point is worth elaborating on in order to provide evidence of the society-wide concern with poverty. In 1997, three years after the democratic elections of April 1994, the Department of Welfare and Population and Development launched a War on Poverty Campaign. On the occasion of the signing of the War on Poverty Declaration the Ministry for Welfare and Population and Development issued a statement that read in part:

> 'Having emerged with political gains following the 1994 April elections, the ANC-led Government has vowed to redress decades of social inequality and poverty in the country. We have clearly demonstrated this through our commitment to usher in transformation in the areas of Welfare, Housing, Health, Water and Environment - to name a few. Our central focus being meeting basic needs of our people as reflected in the RDP. That I, as Minister for Welfare and Population Development, today join hands with the religious community, organs of civil society, the UNDP and Cosatu is a demonstration that the declaration of war on poverty is not only a challenge for Government alone, but for all sectors of society.' (RSA, 1997c)[29]

This declaration was signed by President Nelson Mandela and the South African Cabinet, South African Council of Churches, South African NGO Coalition, Homeless People's Federation, United Nations Development Programme, United Nations Children's Fund, Department of Welfare, Congress of South African Trade Unions, National Council of Trade Unions and South African Grant Makers Association[30]. In the War on Poverty Declaration it was stated that:

> 'The War on Poverty is South Africa's most important priority and our greatest challenge. Eradicating poverty is essential to consolidate the gains of our new

[29] http://www.info.gov.za/speeches/1997/090242197.htm
[30] http://www.info.gov.za/speeches/1997/090242197.htm

> democracy. It is a pre-condition for social justice, peace and security in our land.' (Mail and Guardian, 13 March 1998)

Addressing poverty was identified as the greatest challenge facing post-apartheid South Africa by all the policy makers and key opinion makers interviewed in this study.

In democratic South Africa, operating on the basis that poverty is the greatest challenge and the state is committed to its eradication, the conceptualisation, definition and measurement of poverty becomes a critical issue for investigation. Since the fall of apartheid, research and analyses of poverty have grown in number with a range of different approaches and methodologies applied. To accomplish the task of analysing the concepts, definitions and measurement of poverty in the democratic era, three main sources of information on the conceptualisation and definition of poverty are identifiable. The first is the research and work on poverty undertaken by independent researchers and experts on poverty. This research and work on poverty is mostly at universities and is undertaken for academic purposes. The concepts, theories and analysis of poverty, in short, the knowledge on poverty that originates from researchers and experts at universities is crucial as it forms the platform for the understanding of poverty and tends to shape the conceptual paradigm and predominant views on definition and measurement of poverty in a society.

The second source is international or multi-lateral research institutes and bodies that research and write on poverty such as the World Bank, the United Nations Development Programme and the Organisation for Economic Cooperation and Development that have established their presence in different countries and are seen to produce robust quality research and analysis at the global level. These research institutes and bodies contribute in generating knowledge on poverty and come to shape in different ways national debates on poverty and decisions on its conceptualisation and definition.

The third source is official government documents such as policies, discussion papers, reviews and research reports. Generally in South Africa government does not undertake its own research on poverty. The practice is to commission an expert or a research institute to undertake research or conduct a study or analysis of poverty. The outcome of such commissioned work is an official government-endorsed and government-owned research report or policy document that contains specific concepts, definitions and measurement of poverty.

Whilst the analysis is focussed on research undertaken by independent researchers and experts and research institutes, interest here is in the conceptualisation, definition and measurement of poverty contained in research analyses and studies *commissioned* by government, *used* by government or that have *had an impact* on government's understanding of poverty and its definition. This emphasis and interest is informed by two considerations. The first is that government is directly responsible for developing policies to address the defined poverty. The second is that the provisions in the Constitution, the socio-economic rights in particular, fall within the duty of the state to respect, protect, promote and fulfil the rights in the Bill of Rights. This duty entails using the Constitution as a key point of reference in the conceptualisation and definition of poverty.

Two aspects of the views presented in this Chapter and conclusions reached are important. This first is that the discussion of how poverty is conceptualised and operationalised in post-apartheid South Africa has to be undertaken with an appreciation of points raised in Chapter 6. One of the main conclusions of Chapter 6 is that the manner in which the Constitutional Court, Justices of the Constitutional Court and academics understand poverty in the post-apartheid era has implications for its definition. The second aspect is in relation to the theoretic-analytic

framework presented in Chapter 2 which is founded on the notion of citizenship in the writings of TH Marshall with the three elements of civil, political and social rights.

As we consider the conceptualization of poverty in the post-apartheid era, it is crucial to remind ourselves that the concept of poverty is 'the theoretical framework out of which definitions are developed' (Noble et al, 2007: 54). Poverty *definitions* distinguish the poor from the non poor and follow from the conceptualisation adopted. *Measurement* of poverty is the way in which definitions are operationalised to enable the extent of poverty or the depth of poverty to be assessed (Lister, 2004). Further, both definition and measurement carry explicit and implicit policy solutions to address poverty.

Starting from the premise that there is a relation between citizenship and poverty, in South Africa, where a citizenship with rights is a strongly articulated notion of the 'new society' enshrined in the Constitution, how far, if at all, do post-apartheid definitions of poverty originate from the constitution-based concept of citizenship and mesh with the stated goal of building full citizenship with social and economic rights and entitlements? Bringing the two concepts of citizenship and poverty together, the aim is to investigate if in democratic South Africa the critical relationship between citizenship and poverty informs the conceptualization and definition of poverty.

This Chapter is an account of key select studies and research on poverty that inform on how poverty is conceptualised, defined and measured. The Chapter is not a survey of all research and studies on poverty undertaken in the post-apartheid era. The analysis adopts a chronological approach and brings together research, studies and analyses from the three different sources identified. This chronological approach seeks to show how research and

studies on poverty from independent researchers, research bodies as well as definitions of poverty in official policy documents all come together in a dynamic way to shape the politics of poverty definition in post-apartheid South Africa.

Before presenting an account of the key select studies and research on poverty in the post-apartheid era, a visit to the section in Chapter 5 detailing poverty research and analysis in the period immediately before April 1994 and in the period after April 1994 is called for. This is in order to build a continuous presentation that will show important conceptual continuity in some of the studies undertaken just before 1994 and what is unfolding in poverty analyses in the post-apartheid period. In Chapter 5 an outline of the Project for Statistics on Living Standards and Development (PSLSD) (SALDRU, 1994) and the *Key Indicators of Poverty in South Africa* (RSA, 1995a) study by the World Bank were presented.

In short, the PSLSD was undertaken by the World Bank with South African researchers at the behest of the ANC with the aim of creating effective strategies to combat poverty. The PSLSD did not define or measure poverty. However, nine regional poverty profiles were undertaken as part of the PSLSD. In their conceptualization and definition of poverty these regional poverty profiles were located in the apartheid era as evident in the use of the MLL and the HSL. The study *Key Indicators of Poverty in South Africa* (RSA, 1995a) was undertaken by the World Bank, commissioned by the Ministry in the Office of the President: Reconstruction and Development and published in October 1995. Other than theoretically questionable 'relative' definitions of poverty and minimum caloric intake measures, the *Key Indicators of Poverty in South Africa* study adopted the MLL and the SLL. These two developments (the 1993 survey and the 1995 World Bank study) were referred to in Chapter 5 as the 'introduction and inception of physical efficiency, minimalist definitions of poverty in post-apartheid

democratic South Africa'. As the discussion in this Chapter will show, there are valid reasons for this assertion.

Starting from the first official post-apartheid analysis of poverty, that is *Key Indicators of Poverty in South Africa* (RSA, 1995a) to the recent OECD-sponsored *Trends in South African Income Distribution and Poverty since the Fall of Apartheid* (Leibbrandt et al, 2010), a number of commissioned reports, policy documents and macro-level policy reviews, research from experts on poverty, have all contributed in the body of knowledge on poverty in the democratic era.

Before looking at the three sources mentioned above, a brief outline of the views on poverty of the majority political party, the ANC, immediately before the 1994 elections is apposite. In Chapter 6 the argument is that the idea of a citizenship with rights has a long established tradition in the ANC. So, the consideration of the ANC's understanding of poverty in the period leading to democratisation is relevant. The African National Congress, even prior to commanding political power in the executive and parliament, was aware of and sensitive to extensive poverty in South Africa. As mentioned in Chapter 5 the PSLSD was an outcome of a request to the World Bank from the ANC as a government in waiting. This makes prevailing definitions of poverty not only an 'apartheid legacy' as poverty as a social problem has been studied and considered by the ruling party. This may indicate policy contradictions and policy incoherence if poverty is conceptualised differently to the way it is defined and measured. If this can be pointed out, the discord between the Constitution on citizenship and definition of poverty will be more revealing and raise questions about disjuncture in conceptualisation and definition. If poverty eradication is seen as a high-priority, and part of the aim of the thesis in to look at 'the politics of poverty definition in post-1994 South Africa', the question of why

poverty is conceptualized and defined in a manner that is in disagreement with the central tenets of the country's Constitution becomes more salient.

7.2 The ANC and the understanding of poverty in the period 1990 – 1994: 'Ready to Govern' and the 'Reconstruction and Development Programme'

There are many policy documents that came from the ANC that clarified its position on key policy issues in the period leading up to the 1994 elections. Two documents are highlighted here because of their status within the ANC at the time and the understanding of poverty expressed in these documents. The one document is *'Ready to Govern: ANC policy guidelines for a democratic South Africa'* (ANC, 1992)[31]. This document was adopted at the ANC National Conference held on 28 - 31 May 1992, two years prior to the elections. In this document the organisation's plans on key social and economic policies when it ascends to state power are articulated. The thrust of the document was the systematic and comprehensive attack on apartheid era discrimination and its social and economic outcomes. Instituting democracy, fighting poverty and inequality were the main targets for policy intervention. References to poverty, in its multi-dimensional conceptualisation, pervade the document. In one section of the document the point is made that:

> '... the central goal of ANC economic policy is to create a strong, dynamic and balanced economy that will be directed towards ... eliminating the poverty and the extreme inequalities generated by the apartheid system ... creating productive employment opportunities at a living wage for all South Africans ... initiating growth and development to improve the quality of life for all South Africans, but especially for the poor.' (ANC, 1992)

In a section headed 'Our problems run deep', reference is made to extreme levels of poverty and disease in the rural areas and the creation of urban ghettos where people have been denied

[31] http://www.anc.org.za/ancdocs/policy/readyto.html

even the most basic means of survival. Speaking about 'pervasive poverty', the assertion is made that:

> '… the ANC, in keeping with its general commitment to an egalitarian society, rejects the dictum that the poor will always be with us. It believes that poverty is created by society and it can therefore be eliminated by society.' (ANC, 1992)

The second document is the '*Reconstruction and Development Programme: A Policy Framework* (ANC, 1994)*'*. This document is commonly referred to as the RDP Base Document reflecting the original document from the Tripartite Alliance (ANC, COSATU and SACP). This document was later converted into the White Paper on Reconstruction and Development as it became an official policy document of the Government of National Unity. In the Preface to the RDP Base Document, Nelson Mandela makes the observation that 'in 1994 we are about to assume the responsibilities of government and must go beyond the Charter to an actual programme of government' (ANC, 1994).

> 'The RDP was seen as 'an integrated, coherent socio-economic policy framework … [seeking] … to mobilize all our people and our country's resources toward the final eradication of apartheid and the building of a democratic, non-racial and non-sexist future.' (ANC, 1994)

The ANC and its Alliance partners spelt out the position on poverty as contained in the five key programmes of the RDP; meeting basic needs, developing our human resources, building the economy, democratizing the state and society, and implementing the RDP.

The RDP Base Document goes on to mention that attacking poverty and deprivation must therefore be the first priority of a democratic government. This statement appears in the RDP:

> 'Poverty is the single greatest burden of South Africa's people, and is the direct result of the apartheid system and the grossly skewed nature of business and industrial development which accompanied it. Poverty affects millions of people, the majority of whom live in the rural areas and are women. It is estimated that there are at least 17 million people surviving below the Minimum Living Level in South Africa, and of these at least 11 million live in rural areas … [and] … it is not merely the lack of income which determines poverty. An enormous proportion of very basic needs are presently unmet. In attacking poverty and deprivation, the RDP aims to set South Africa firmly

> on the road to eliminating hunger, providing land and housing to all our people, providing access to safe water and sanitation for all, ensuring the availability of affordable and sustainable energy sources, eliminating illiteracy, raising the quality of education and training for children and adults, protecting the environment, and improving our health services and making them accessible to all.' (ANC, 1994)

The two documents, *Ready to Govern: ANC policy guidelines for a democratic South Africa* (ANC, 1992) and *Reconstruction and Development Programme: A Policy Framework* (ANC, 1994) capture and highlight the detailed and clear views of the ANC on poverty prior to the 1994 elections.

With this short outline on the ANC on poverty, the discussion turns to the conceptualisation and definitions of poverty contained in research reports and studies on poverty in the democratic era. For ease of analysis the discussion breaks the post-apartheid democratic era into two periods. The first is April 1994 to 2000 which covers the first six and half years of the democratic era. The second is the ten year period from 2001 to 2010. This periodisation is evidently arbitrary. It is really intended to structure the discussion and to see if there is change or maturation in the conceptualisation and definition of poverty as the democratic era unfolds. Each of the three different sources on the concepts and definition of poverty alluded to earlier are considered in both the April 1996 to 2000 and the 2001 to 2010 periods.

Nonetheless, whilst this periodisation is manifestly arbitrary, there are key developments that took place in the year 2000 that, at the conceptual level, had (or ought to have had) significant shifts in the conceptualisation and definition of poverty in South Africa. The year 2000 saw the Department of Welfare and Population and Development change its name to the Department of Social Development (RSA, 2000b). This is the Department that carries the mandate for poverty alleviation in government. The Department of Social Development issued two key reports in the year 2000, namely the *National Report on Social Development* (RSA, 2000b)

and *The State of South Africa's Population Report* (RSA, 2000a). In the same year the national statistics agency, Statistics South Africa, published the seminal report *Measuring Poverty in South Africa* (Statistics South Africa, 2000) which explored innovative ways of analysing and measuring poverty.

7.3 Conceptualisation and definition of poverty in democratic South Africa: April 1994 to 2000

The study *Key Indicators of Poverty in South Africa* (RSA, 1995a) was the first official post-apartheid era analysis of poverty. In Chapter 5 focus was on definitions of poverty used in this study. Here conclusions reached about poverty in South Africa from the study are presented in detail. The point that is highlighted in this detail is that whilst poverty definitions adopted in *Key Indicators of Poverty in South Africa* study fall into absolute, subsistence, physical efficiency definitions, in reference to social indicators, this study does refer to health, education, safe water, the race dimension of poverty and the concentration of poverty in former homelands. This reference, whilst not explicit, alludes to an understanding of poverty that is beyond absolute money-metric measures and is an acknowledgement of the multi-dimensional nature of poverty.

The *Key Indicators of Poverty in South Africa* study conducted by the World Bank concluded that:

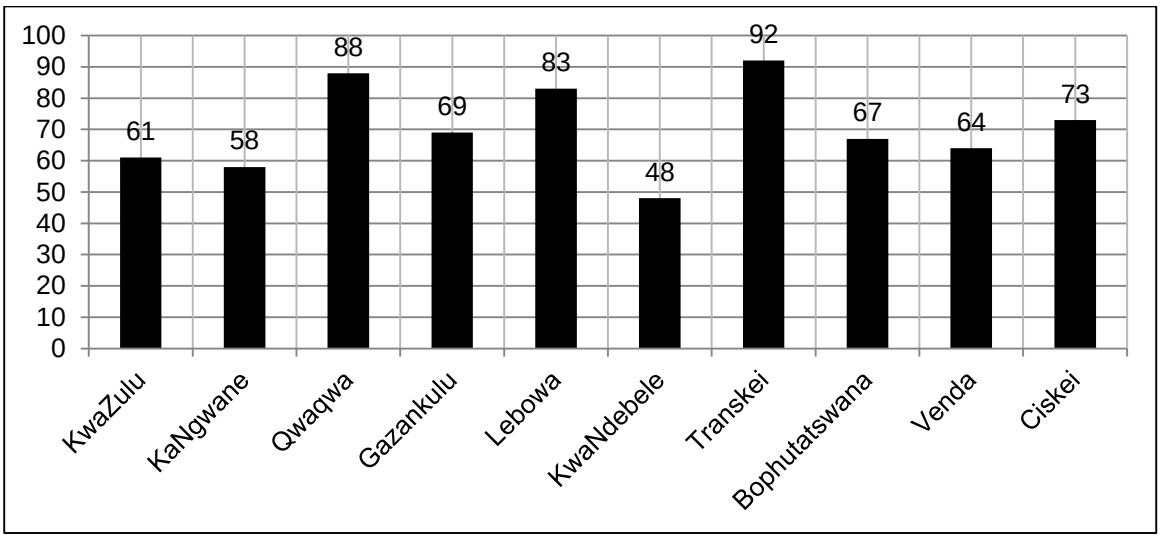
- 'Among comparable middle-income developing countries, South Africa has one of the worst records in terms of social indicators (health, education, safe water, fertility) and among the worst records in terms of income inequality.
- Poverty in South Africa has a strong race dimension. Nearly 95% of South Africa's poor are African, 5% are Coloured; less than 1% are Indian or White. Africans have nearly twice the unemployment rate (38%) of Coloureds (2l%), more than three times the unemployment rate of Indians (11%), and nearly ten times the unemployment rate of Whites (4%).

- Poverty in South Africa has a strong rural dimension. Some 75 % of South Africa's poor live in rural areas, concentrated in the former homelands and TBVC states.
- Poverty in South Africa has a strong regional dimension. Nearly two thirds of South Africa's poor live in three provinces: the Eastern Cape (24%), KwaZulu/Natal (21%) and the Northern Province (l8 %).
- Poverty in South Africa has a strong employment dimension. Unemployment rates among the poor stand at 50%, compared to only 4% among the richest 20%.
- Poverty in South Africa has a strong gender and age dimension. Female-headed households have a 50% higher poverty rate than male-headed households. Finally, over 45 % of the poor are children below l6 years.' (RSA, 1995a)

Further relevance of this first analysis of poverty in the democratic era is that the study painted the picture of poverty in South Africa at the dawn of democracy and the extent and depth of this challenge including its concentration in a specific race group and specific geographic areas of South Africa. In the broader framework of this thesis the conclusions reached by the *Key Indicators of Poverty in South Africa* were hardly surprising considering the denial of full citizenship to blacks over many decades.

In the *Key Indicators of Poverty in South Africa* study, poverty rates in the former homelands created at the height of the apartheid system are presented. The graph below shows the poverty rates using an income poverty line of R301 per adult equivalent.

Poverty rates in former homelands (1995) – Expenditure level of R301/m per adult equivalent



This study, as this Chapter shows, had a major influence on concepts and definition of poverty. What is of interest as well is whether the *Key Indicators of Poverty in South Africa* study, the first study to analyse poverty in the post-apartheid democratic era, laid the foundation for the use of subsistence, physical efficiency poverty lines in South Africa with the attendant dangers of the British example explained in Chapter 2.

7.4 Select studies and writings on poverty from researchers, academics and policy analysts (April 1994 – 2000)

Researchers and academics in the democratic era in South Africa play an important role in the understanding of poverty. This key role played by academics and researchers is the same as in other countries where research and theories on poverty are considered when governments formulate policies to tackle poverty. The poverty analysis carried out during the apartheid years by the Institute for Planning Research and the Bureau for Market Research provide evidence of this role. As heads of committees and commissions, as participants in state commissioned poverty research and studies, researchers and academics are an important source of information and views which come to shape the terrain in the conceptualisation, definition and measurement of poverty in a society. There is an interplay between state commissioned studies, policies directed at poverty alleviation and independent research carried out by those who have expertise in poverty studies. A perusal of lists of participants and reference sections of state commissioned studies attests to this point. It is for this reason that a selection of research and writings on poverty from South Africa's research and academic community is presented here and in the next Chapter in order to thoroughly appreciate the emerging understanding of poverty and adopted definitions and measurements.

The *State of South Africa's Population Report* (RSA, 2000a) refers to this relationship between government departments and researchers:

> 'The report is however not simply another government publication. It is the result of a partnership between the government and the academic / research community. In August 1999 the National Population Unit met with some of South Africa's leading population researchers to develop an agreement on the compilation of this report. Since then, government officials from the National Population Unit and Statistics South Africa, and academics and researchers worked closely together to develop consensus views on the state of South Africa's population, as reflected in this report.' (RSA, 2000a: 2)

Some of the definitive state commissioned studies in the post-apartheid era such as the *Report of the Lund Committee on Child and Family Support* (RSA, 1996c), the *Poverty and Inequality in South Africa Report* prepared for the Office of the Executive Deputy President and the Inter-Ministerial Committee for Poverty and Inequality (RSA, 1998a), the *Report of the Committee of Inquiry into a Comprehensive System of Social Security for South Africa: Transforming the Present – Protecting the Future* (RSA, 2002b) the *Towards a Ten Year Review: Synthesis Report on Implementation of Government Programmes* (RSA, 2003) all relied on academics and experts to lead the appointed committees, undertake poverty analyses, write input papers and experts' pieces and make policy recommendations.

As stated, the primary objective is to establish the predominant perspective on the conceptualisation and definition of poverty in the period April 1994 to 2000. In this discussion, it is important as well to be cognisant of the PDL and its derivatives discussed in Chapters 4 and 5 as these poverty measures were commonly used in the early 1970s, the 1980s and the early 1990s and were adopted and utilised in studies in the period before the 1994 elections.

From the period April 1994 to 2000, the World Bank's *Key Indicators of Poverty in South Africa* published in October 1995 has been adequately covered. From researchers and academics in the April 1994 to 2000 period, the first study of note was the Whiteford and Posel

(1995) *A Profile of poverty: Inequality and human development in South Africa*. This study was used as a point of reference for poverty measurement in the *Report of the Lund Committee on Child and Family Support* (RSA, 1996c) and *The White Paper for Social Welfare* (RSA, 1997). In the study, Whiteford and Posel (1995) make the point that:

> 'All estimates of poverty in this report are made in reference to a poverty line i.e. if a household earns an income lower than a set amount, that household and its members are deemed to be living in poverty. The poverty line varies according to the size of the household and its age composition. At the beginning of 1994 the poverty line for an urban household with two adults and three children was approximately R840 per month, and R740 for a rural household of two adults and three children.' (Whiteford and Posel, 1995: 2)

The poverty line referred to is the HSL. In 1999 Leibbrandt and Woolard published *Measuring Poverty in South Africa* (Leibbrandt and Woolard, 1999a). The authors mention the fact that the most widely used South African poverty lines are the HSL and the MLL. Six different poverty lines are utilized in the study to determine the percentage of individuals falling below each poverty line. The six poverty lines are:

(i) population cut-off at 40th percentile of households ranked by adult equivalent expenditure,

(ii) population cut-off at 50% of national per capita expenditure,

(iii) amount of money required to achieve a per capita caloric intake of 8500 kJ per day,

(iv) minimum (MLL) and supplemental living levels (SLL) per capita set by the Bureau of Market Research, University of South Africa,

(v) per adult equivalent household subsistence level (HSL) set by The Institute for Development Planning Research, University of Port Elizabeth and

(vi) the international poverty line of 1US dollar (1985 prices) per capita per day.

As can be seen, the Leibbrandt and Woolard analysis is, in its conceptual orientation, the same as the World Bank's *Key Indicators of Poverty in South Africa* (RSA, 1995a) study. The World

Bank adopted population cut-offs at the 40th and 20th percentile of households ranked by adult equivalence and the 2500 Kcal per day minimum per capita adult-equivalent caloric intake. Leibbrandt and Woolard (1999a) adopted population cut-offs at the 40th percentile of households ranked by adult equivalent expenditure, population cut-off at 50% of national per capita expenditure, per capita caloric intake of 8500 kJ per day and the US$1 per day poverty line.

In the same year Leibbrandt and Woolard (1999b) published *A Comparison of Poverty in South Africa's Nine Provinces* using the same poverty lines outlined above. Budlender (1999), in the same journal looked at poverty patterns in South Africa using the October Household Survey and the Income and Expenditure Survey of 1995. The analysis, according to the author, adopts a 'simple definition of income poverty which allows comparisons between households in ten deciles defined on the basis of per capita household income'. May et al (1999) published *KwaZulu-Natal Income Dynamics Study (KIDS): A longitudinal household data set for South African policy analysis.* In this study the authors used a poverty line that was:

> '… based on scaling the IPR's (1993) poverty datum line, which is derived on an estimate of minimum household consumption. The resulting poverty line income-based measure is R237 (1993 Rand) per adult equivalent per month.' (May et al, 1999)[32]

Roberts (2000), contributed a paper entitled *Chronic and Transitory Poverty in Post-Apartheid South Africa: Evidence from KwaZulu-Natal* using the same poverty line applied by May et al (1999) but added the 1US dollar per day poverty line 'for international comparison'. Two papers from Klasen in this period are *Poverty, Inequality and Deprivation in South Africa: An Analysis of the 1993 SALDRU Survey* (Klasen, 1997) and, *Measuring Poverty and Deprivation in South Africa* (Klasen, 2000). In the Klasen (1997) publication households were ranked

[32] The IPR referred to is the Institute for Planning Research, University of Port Elizabeth.

according to their adult equivalent expenditure and divided into five quintiles. The poverty line used is the 'relative' poverty line used in the *Key Indicators of Poverty in South Africa* (RSA, 1995a) study. Klasen's (2000) study explored deprivation indices for South Africa, departing from the utilisation of money-metric poverty measures. This analysis by Klasen (2000) is discussed in greater detail in Chapter 8 because of its conceptual approach in the understanding of poverty.

The next analysis of poverty in this period was the *Poverty and Inequality in South Africa Report* (RSA, 1998a). A number of input papers were authored by experts in the many different social and economic fields covered in the Report. An input paper with the title *A Comparison of Urban Poverty* draws attention to 'defining a poverty line for South Africa' and uses a table that:

> '... shows several possible definitions of a poverty line, including lines based on both absolute and relative poverty definitions. These lines yield results showing a range in the proportion of the population who are poor from about 24 per cent to 57 per cent.'

The following Table appears in the input paper.

Table 14

Types of Poverty Lines	R Amount/Month Cut-off	% of Population Below the Poverty Line
1.Population cut-off at 40th percentile of households ranked by adult equivalent expenditure	301.70	52.8
50% of national per capita expenditure	297.09	46.9

2. Minimum per capita caloric intake (at 2 000 Kcal per day)	143.20	39.3
3.Minimum caloric-adjusted per capita intake (at 2 500 Kcal per day)	185.40	42.3
4.Minimum and supplemental living levels per capita set by the Bureau of Market Research, University of South Africa Supplemental Living Level (SLL) Minimum Living Level (MLL) 5. Per adult equivalent household subsistence level (HSL) set by The Institute for Planning Research, University of Port Elizabeth 6. International poverty lines (US$ 1 per capita per day)	 220.10 164.20 251.10 91.40	 56.7 44.7 45.7 23,7

The limited number of experts on poverty that authored input papers for the *Poverty and Inequality Report* (RSA, 1998a) and therefore contributed in the conceptualisation and definition of poverty is instructive. The conceptual terrain on poverty, as captured in the input paper, demonstrates the sources from which experts leading studies and analyses of poverty, in the period April 1994 to 2000, drew their expertise and knowledge from. Crucially, this expertise and knowledge was to inform policy concepts and definitions of poverty and policy choices in post-apartheid era.

Overall the studies presented here capture and illustrate the predominant perspective on the conceptualisation and definition of poverty in the period April 1994 to 2000. What is evident is the minimalist, absolute and physical efficiency perspective on the definition and measurement of poverty.

7.5 Key policy documents from relevant government departments (April 1994 – 2000)

The period beginning with the April 1994 elections and the installation of a democratically elected government has been one of heightened activity in policy making for all government departments in South Africa. Policy formulation and the production of policy documents in the democratic era continue with the stated objective of creating a better society for all. When considering policy documents from government departments it has to be appreciated that policy

formulation is about contestation and involves accepting and allowing some views, whilst ignoring and rejecting others. When surveying the government's understanding of poverty from policy documents, there are both explicit and implicit expressions of poverty concepts and definitions.

Several seminal policy documents on poverty and its understanding from a number of government departments are studied. The following policy documents are analysed chronologically with regards to the conceptualization and definition of poverty they contain: The Department of Labour's *Restructuring the South African Labour Market: Report of the Presidential Commission to Investigate Labour Market Policy* published in June 1996 (RSA, 1996b). The Department of Welfare and Population and Development's *Report of the Lund Committee on Child and Family Support* published in August 1996 (RSA, 1996c). The Department of Welfare and Population and Development's *White Paper for Social Welfare* published in August 1997 (RSA, 1997a). The *Poverty and Inequality in South Africa: Report prepared for the Office of the Executive Deputy President and the Inter-Ministerial Committee for Poverty and Inequality* issued in May 1998 (RSA, 1998a). The three policy documents from the Department of Welfare and Population and Development, namely, *The White Paper on Population Policy* (RSA, 1998b) *The State of South Africa's Population Report* (RSA, 2000a) and *The National Report on Social Development* (RSA, 2000b). The last publication presented in this section is Statistics South Africa's *Measuring Poverty in South Africa* (Statistics South Africa, 2000).

In 1995, the Presidency assembled a commission of labour market experts to investigate labour market policy in South Africa. The result of this undertaking was the report *Restructuring the South African Labour Market: Report of the Presidential Commission to Investigate Labour*

Market Policy (RSA, 1996b). In creating the link between unemployment, poverty and wages this report based its understanding of poverty levels in South Africa on the World Bank's *Key Indicators of Poverty in South Africa* (RSA, 1995a) although direct reference to the study is not made. The Report states that 'depending on the measure used, between 36 and 53% of South Africans are estimated to live below the poverty line'[33]. The report details estimations of poverty and the poverty measures used. On poverty levels in South Africa, it is stated in the report that:

> 'Poverty is overwhelmingly concentrated in the African and Coloured population: 95% of the poor are African, and 65% of Africans are poor. Roughly 33% of the Coloured population live in poverty, compared to 2.5% for Asians and 0.7% for Whites.' (RSA, 1996b)[34]

There is strong reliance on the MLL as well in this report. The MLL is used to indicate wage levels in South Africa and it is mentioned that:

> 'Ten percent of all regular, formal sector employees earn less than R250 per month. And 38% of South Africa's approximately 7.4 million regular workers earn less than the household Minimum Living Level (MLL), currently averaging R970 per month.' (RSA, 1996b)[35]

On poverty definition and measurement, the MLL is further cited and in a detailed explanation of this poverty measure the following point is raised:

> 'The MLL, calculated by UNISA's Bureau for Market Research, is the most commonly used measure of basic living costs. It calculates living expenses for an average size household in various cities and medium-sized towns. The MLL is not an extravagant estimate and includes little more than the cost of rent and basic services, provision for the family to meet the minimum dietary requirements recommended by the Department of Health, schooling expenses, some clothing and washing materials, and travel expenses to and from work. A slightly more generous calculation emerges from the Supplementary Living Level (SLL) which adds items such as pension, unemployment and medical aid contributions, some extra toiletries and washing materials, provision for non-work transport and some recreational expenses. In August 1995 the MLL for the average African family stood at R970,38 with figures for specific cities or towns varying within a range of approximately 10% above or below this. The SLL for an

[33] Point 13 in the Report.
[34] Point 14 in the Report.
[35] Point 143 in the Report.

> average African family was estimated at R1 307,84. The average family size used in the UNISA calculation was between four and five people.' (RSA, 1996b)[36]

In short, the *Restructuring the South African Labour Market: Report of the Presidential Commission to Investigate Labour Market Policy* (RSA, 1996b) adopted without question absolute and minimalist definitions of poverty.

The next state-commissioned study on poverty which used a specific poverty measure was the Lund Committee on Child and Family Support. In the publication that was the outcome of the work of this committee, the HSL from the Institute for Planning Research at the University of Port Elizabeth is referred to extensively. The HSL is provided as a poverty measure that 'can be used as the basis for determining the lower level of the benefit [the Child Support Benefit]' (RSA, 1996c: 9). In a section on the 'level of the benefit', mention is made of the fact that:

> '... two levels of the benefit were set: 1. R70 monthly, based approximately on the Household Subsistence Level for children. 2. R125 monthly, which is the present level of the child allowance part of the State Maintenance Grant.' (RSA, 1996c: 102)

A table indicating 'Costs of child care in different environments' in March 1996 appears in the report and an 'Estimated HSL for a child from 0-10' is calculated at R90 per month and R1,080 per year (RSA, 1996c: 90). The centrality of the HSL in the work of the Lund Committee on Child and Family Support is further evident in one of the recommendations calling for a flat-rate child support benefit and 'the level of the grant would be derived from the Household Subsistence Level for food and clothing for children' (RSA, 1996c: 11).

[36] Point 148 in the Report.

In a statement issued by the Ministry for Welfare and Population Development, following the recommendations of the committee, the HSL received government endorsement. In the statement the point is made that:

> 'Clearly, the level of the … [child support grant] … will have to be linked to an objective measure, it cannot be arbitrary. The household subsistence level was used for this purpose. It is not a perfect measure, but as more adequate poverty data and indicators are developed, these measures will have to be improved.' (Fraser-Moleketi, 1998)

The Report of the Lund Committee on Child and Family Support also provided an understanding and definition of poverty which informed the deliberations of the committee. In the glossary of terms used, the conceptual orientation and definition of poverty is presented thus:

> 'Poverty is usually defined with reference to a poverty line, i.e. if a household earns an income lower than a set amount, that household and its members are deemed to be living in poverty. The poverty line varies according to the size of the household and its age composition. At the beginning of 1994 the poverty line for an urban household with two adults and three children was approximately R840 per month, and R740 for a rural household of two adults and three children.' (RSA, 1996c: 70)

To explain the poverty line and figures cited, the report mentions Whiteford and Posel (1995) *A Profile of poverty: Inequality and human development in South Africa.* In similar fashion to the Commission on *Restructuring the South African Labour Market* (RSA, 1996b), the Lund Committee used and built its case on the understanding of poverty and its definition on available and commonly used definitions and measurements of poverty.

In August 1997 the Department for Welfare and Population and Development issued the White Paper for Social Welfare (RSA, 1997a). This document was a blueprint of how inclusive and developmental social welfare services including social security were to be approached and structured in the post-apartheid era. In the preamble to the White Paper for Social Welfare the vision for social welfare is stated.

> ‘The goal of developmental social welfare is a humane, peaceful, just and caring society which will uphold welfare rights, facilitate the meeting of basic human needs, release people’s creative energies, help them achieve their aspirations, build human capacity and self-reliance, and participate fully in all spheres of social, economic and political life.’ (RSA, 1997a)

The same policy document, critical and central as it contains the department’s vision, objectives and approach in the post-apartheid era, cited figures of poverty levels in South Africa. First in the glossary of terms used in the White Paper the following appears:

> ‘Poverty: Poverty is usually defined with reference to a poverty line, i.e. if a household earns an income lower than a set amount, that household and its members are deemed to be living in poverty. The poverty line varies according to the size of the household and its age composition. At the beginning of 1994 the poverty line for an urban household with two adults and three children was approximately R840 per month, and R740 for a rural household of two adults and three children.’ (RSA, 1997a)

This definition of poverty is taken from Whiteford and Posel (1995: 2) mentioned above. The White Paper further borrows from Whiteford and Posel and mentions that in South Africa ‘great poverty exists alongside extreme wealth’ and ‘about a third (35.2%) of all South African households amounting to 18 million people are living in poverty’ (Whiteford and Posel, 1995: 2). Important for this discussion though, is that whilst the White Paper for Social Welfare used the HSL to indicate poverty levels in South Africa, in the same White Paper, one of the strategies of national developmental social welfare is expressed as ‘to realize the relevant objectives of the Constitution of the Republic of South Africa and the Reconstruction and Development Programme’.

The South African government’s quest for a better understanding of poverty and other forms of social deprivation and policies to address these continued. In 1995, the Deputy President of South Africa, commissioned a study on Poverty and Inequality in South Africa. The outcome was *‘Poverty and Inequality in South Africa: A report prepared for the Office of the Executive Deputy President and the Inter-Ministerial Committee for Poverty and Inequality’*, published

in May 1998 (RSA, 1998a). This was a politically high level study whose work was overseen by a Committee of Ministers chaired by the Minister of Welfare and included the Ministers of Housing, Education, Health, Finance, Water Affairs and Forestry, Agriculture and Land Affairs, Trade and Industry and Public Works (RSA, 1998a: 2). The *Poverty and Inequality Report* was a key milestone in the work on poverty when the scope of analysis of poverty carried out in the report is considered. The report provided important perspectives and policy recommendations on areas covering macro-economic policy, the labour market, human development, infrastructure and a strategy for the reduction of poverty and inequality. This report is taken to have 'contributed significantly to the understanding of poverty in the country and is a useful and up-to-date analysis of poverty in South Africa (RSA, 2000b).

Compared to other post-apartheid studies and analysis of poverty in South Africa, the *Poverty and Inequality Report* examined poverty in a far more comprehensive and conceptually robust manner than previous studies. Pertinent issues in the understanding, definition and measurement of poverty in South Africa are raised in the analysis.

The *Poverty and Inequality Report*, pointing to the persistence of poverty and inequality starts by linking the colonial, segregation and apartheid systems as the causes of extensive poverty among blacks in the country. This is expressed in this manner:

> 'The specificity of this situation in South Africa has been the impact of institutionalized discrimination. Colonial and Union government policies directed at the extraction of cheap labour were built upon by apartheid legislation. The result was a process of state-driven underdevelopment that encompassed dispossession and exclusion for the majority of South Africans. An important outcome brought about by these policies was the loss of assets, such as land and livestock, and simultaneously the denial of opportunities to develop these assets through limiting access to markets, infrastructure and education. As such, apartheid, and the legislation and institutions through which this ideology was implemented, operated to produce poverty and extreme inequality.' (RSA, 1998a: 1-2)

The report further alludes to the fact that poverty definition is indeed a contested enterprise. The authors of the report advance the view that:

> 'Despite large numbers of people living in poverty, the definition of poverty has been the subject of some debate among policy analysts. However the emerging consensus sees poverty as generally being characterized by the inability of individuals, households, or entire communities, to command sufficient resources to satisfy a socially acceptable minimum standard of living.' (RSA, 1998a: 3)

The above statement presents an understanding of poverty in the same vein as Townsend's definition of relative poverty detailed in Chapter 2. May and the other authors (RSA, 1998) of the study also consider other concepts and definitions of poverty including the Human Development Index from the United Nations Development Programme, the Capability Poverty Measure based on the works of Amartya Sen, subjective measurement of poverty, poverty lines and the World Bank's definition of poverty.

However, the authors of the *Poverty and Inequality* Report, having alluded to the history of discrimination and dispossession, go onto adopt and use the World Bank's definition of poverty. The World Bank defines poverty as 'the inability to attain a minimal standard of living measured in terms of basic consumption needs and income required to satisfy them' (World Bank, 1990). It is worth noting that when the *Poverty and Inequality Report* was written, the 1996 South African Constitution with its provisions on social and economic rights had been extensively discussed politically and socially and covered in the media. Important to note as well is that the 1996 South African Constitution had come into effect sometime before the publication of the *Poverty and Inequality Report.*

The authors, demonstrating their understanding of 'physical efficiency' approaches to the definition of poverty, present the view that:

> ‘Consumption-based poverty lines are thus directed above all to physical measures of relative well-being. The inability to attain minimal standards of consumption to satisfy basic physiological criteria is often termed absolute poverty or deprivation. It is most directly expressed in not having enough to eat, in other words hunger or malnutrition.’ (RSA, 1998a: 26)

In Chapter 2 the authors’ theoretical orientation on the definition of poverty is vividly articulated in this manner:

> ‘This chapter, while trying to touch on all these dimensions of poverty and inequality, is biased towards those dimensions that are easily and objectively measurable. The emphasis is undeniably on ‘poverty proper’ and we concentrate on a conventional, money metric measure at the expense of focusing on other important aspects. The overriding reasons for doing so are that a money metric measure is practicable, it allows for inter-personal comparisons and it is a fairly good proxy for standard of living.’ (RSA, 1998a: 18)

In tandem with this conceptual orientation and bias, when it came to the choice on definition and measurement of poverty the study resorted to minimalist, absolute definitions of poverty using different poverty lines. In the report it is stated that:

> ‘Therefore, in order to measure poverty in an easily tractable way, the convention adopted by the PIR is to use a poverty line that is measured in money terms. Thus the poverty line does not necessarily reflect actual expenditures, but rather the monetary value of consumption. Recognising that poverty lines will differ over time and space and that deciding where to draw the poverty line is ultimately something of an arbitrary decision, the practice adopted by the earlier RDP study has been followed. ‘Poor’ has been defined as the poorest 40% of households and ‘ultra-poor’ as the poorest 20% of households. According to these definitions, households who expend less than R352,53 per adult equivalent are regarded as poor; households who expend less than R193,77 per adult equivalent are regarded as ultra-poor.’ (RSA, 1998a: 27)

Reference is made to the Bureau of Market Research’s MLL when it is pointed out that ‘wages in the agricultural sector fall well below the minimum living level’ (RSA, 1998a: 76) and that in a research report Naledi (the research wing of the Congress of South African Trade Unions) has ‘quoted farm workers as earning only one sixth of auto labourers’ and ‘in 1991, 65 % of coloured workers and 75 % of African workers in agriculture received under R250 per month’ (RSA, 1998a: 76). In a section ‘examining the vulnerable and poor within the informal sector’,

'two basic poverty lines' the Supplemental Living Level (SLL) which is set at R220.10 per month and the Minimum Living Level (MLL) 'using more stringent poverty criteria, is at R164.20 per month' are used (RSA, 1998a: 79-80).

It is evident that the *Poverty and Inequality Report*, important as it was in terms of the analysis of poverty and the policy recommendations made in key social and economic areas, was rooted in minimalist, physical efficiency conceptualization and definition of poverty in the post-apartheid period. The authors made this choice of focusing on 'poverty proper' with the knowledge and recognition of both South Africa's history and other comprehensive definitions and measures of poverty.

Further contribution in the conceptualisation and definition of poverty came in the form of the *White Paper on Population Policy* (RSA, 1998b) coming from the Department for Welfare and Population and Development. This policy document places the eradication of poverty as one of the guiding principles and states that:

> 'Poverty is one of the most formidable enemies of choice. Therefore, one of the most important objectives of a population policy is to contribute towards the eradication of poverty and all forms of social and economic exclusion of people.' (RSA, 1998b: 26)

In the *'Glossary of concepts used in the White Paper'* (RSA, 1998b) the MLL is described as follows:

> 'The Minimum Living Levels (MLLs) are calculated by the Bureau of Market Research (University of South Africa) in February and August of each year for 26 areas. There are as many as twelve different MLLs for each area, calculated according to household size and place of residence. The MLL denotes the minimum financial requirements of members of a family if they are to maintain their health and have acceptable standards of hygiene and sufficient clothing for their needs. The MLL is the lowest sum possible on which a specific size of family can live in the existing social set-up. The MLL is calculated according to the actual size of families, their age structure and sex composition in each area.' (RSA, 1998b: 66)

Accordingly, estimates of poverty in the White Paper are based on the MLL. As indicated in the White Paper:

> 'The percentage of households with income lower than the minimum living level (MLL), as calculated by the Bureau for Marketing Research (University of South Africa), has been established. These calculations are based on the actual income and household size of each household as established by the Central Statistical Service. This is a far more valuable indicator of households in poverty than is per capita income.' (RSA, 1998b: 35-36)

But, whilst the poverty estimates in the White Paper for Population Policy are based on the MLL, interspersed in this important policy document is an understanding of poverty as a multi-dimensional phenomenon. For example, it is expressed in the White Paper that:

> 'One section of society is characterised by extreme wealth, with high levels of consumption, human development and the enjoyment of fundamental human rights. However, the major part of society is characterised by abject poverty, squalor, and minimal access to basic social and economic services. Fundamental human rights, including the enjoyment of full citizenship, were granted to the majority of the population only in 1994.' (RSA, 1998b: 29)

In the year 2000, the National Population Unit in the renamed Department of Social Development, issued *The State of South Africa's Population Report* (RSA, 2000a). This report brought into the sphere of poverty definition its own perspective. In the report the assertion is made that the report 'operationalises the new paradigm for population and development that was introduced by the Reconstruction and Development Programme and the Population Policy'. In the report figures are given on 'poverty rate by race', with poverty levels of 1 per cent for the white population, 5.4 per cent for the Asian population and 38.2 per cent and 60.7 per cent respectively for Coloureds and Africans (RSA, 2000a: 43). The report cites as its source for the figures the *Poverty and Inequality Report* (RSA, 1998a). In the report 'the absolute poverty line is defined as the international poverty line of one US dollar per day'

(RSA, 2000a: 51) and using this poverty line 'twenty one percent of South Africans fall below the absolute poverty line'(RSA, 2000a: 43).

The Department of Social Development published the *National Report on Social Development 1995-2000* (RSA, 2000b). This was the product of a multi-sectoral team with representation from the Departments of Welfare and Population and Development, Trade and Industry, Labour, Foreign Affairs, Education, Justice, Health, Agriculture and the Presidency as well as representatives from the South African National NGO Coalition and the National Welfare and Social Service and Development Forum (RSA, 2000b). The report starts by highlighting the significance of South Africa's Constitution and enshrined socio-economic rights. The report offers this perspective on the country's Constitution:

> 'The Constitution of South Africa, as adopted on 8 May 1996 is lauded as being among the finest in the world. Chapter 2 of the Constitution is the Bill of Rights, which is regarded as the "cornerstone of democracy" in South Africa. It enshrines the rights of all the people in our country and affirms the democratic values of human dignity, equality and freedom. The Constitution guarantees the attainment of equality and outlaws any form of discrimination. Besides embracing classical rights and freedoms such as freedom of movement and association, it also enshrines the attainment of socio-economic rights … South Africa's democracy is supported by a solid Constitution, which entrenches democracy, eliminates all forms of apartheid, promotes and protects human rights and strives for the attainment of a culture of socio-economic rights.' (RSA, 2000b)

When it came to the estimation of poverty levels in South Africa, the *National Report on Social Development 1995-2000* based its figures on the *Poverty and Inequality Report* (RSA, 1998a). In the *National Report on Social Development 1995-2000* (RSA, 2000b) it is pointed out that the *Poverty and Inequality Report* (RSA, 1998a) 'has contributed significantly to the understanding of poverty in the country' and 'it is a useful and up-to-date analysis of poverty in South Africa'. On poverty levels reference is made to:

> 'The PIR estimates that almost 65% of all South Africans live under the poverty datum line. It also confirmed that 19-million (46%) people remain trapped in poverty, surviving on a household expenditure of R353 per adult per month.' (RSA, 2000b)

Poverty levels by race are provided with 61% Africans, 38% Coloureds, 5% Indians and 1% Whites classified as poor (RSA, 2000b). These are figures directly from the *Key Indicators of Poverty in South Africa* (RSA, 1995a) analysis. Therefore, as can be seen, whilst the *National Report on Social Development 1995-2000* (RSA, 2000b) made reference to socio-economic rights, both this report and the *State of South Africa's Population Report* rely on minimalist, physical efficiency measures used in the *Poverty and Inequality Report* which adopted the approach in the World Bank's *Key Indicators of Poverty in South Africa* study.

In 2000, Statistics South Africa, the official statistics agency, published *Measuring Poverty in South Africa* (Statistics South Africa, 2000). This publication alludes to the observation that the 'reduction of poverty and inequality has been a central concern of South Africa's government since 1994' (Statistics South Africa, 2000: 1). Four exploratory studies are presented that look at different ways to measure poverty with the emphasis on the point that:

> 'For informed decision-making on reducing poverty and inequality in the country, and for monitoring poverty when policies are implemented, reliable and valid methods of measuring and mapping poverty are essential.' (Statistics South Africa, 2000)[37]

In this Statistics South Africa report, the four studies are seen as 'fruitful pieces of research in a developing field of enquiry' (Statistics South Africa, 2000: 1). The first study examines ways in which census and survey data can be combined to construct a poverty map of South Africa using a household income of R800 per month (Statistics South Africa, 2000: 6). The second study in a section on definition of poverty states the following:

> 'Poverty has been defined in a variety of ways both nationally and internationally. In this report, poverty is reviewed, in common with the United Nations development reports in a broader perspective than merely the extent of low income or low expenditure in the country. It is seen here as 'the denial of opportunities and choices most basic to human development to lead a long, healthy, creative life and to enjoy a decent standard of living, freedom, dignity, self-esteem and respect from others.' (Statistics South Africa, 2000: 54)

[37] Executive Summary.

With this conceptual orientation in the second study two 'Stats SA indices' are constructed, namely, the household infrastructure index and the household circumstances index. These 'development indices' (Statistics South Africa, 2000: 74) are aimed at measuring under-development in different parts of South Africa. The social and economic indicators that were taken into account in the construction of the indices were:

> '(a) formal housing (brick dwellings, flats, townhouses, back yard rooms etc.); (b) electricity for lighting from a public authority or supply company; (c) tap water inside the dwelling; (d) a flush or a chemical toilet; (e) a telephone in the dwelling or a cellular phone; (f) refuse removal at least once a week by a local or district authority; (g) level of education of the head of household; (h) average monthly household expenditure; (i) unemployment rate (expanded definition); (j) average household size; and (k) the proportion of children in the household under the age of five years.' (Statistics South Africa, 2000: 22)

The third study in the report looks at inequality of earned monetary income based on the 1995-1998 October Household Surveys. The last study discusses the way in which a social accounting matrix (SAM), based on household income, is calculated. These studies were undertaken in the spirit of trying innovative ways of measuring and analyzing poverty in the country and did not advocate for or articulate any specific definition of poverty.

At variance with poverty analyses and studies from this period that readily adopted the HSL or the MLL, or in a clear rejection of the HSL and the MLL, Statistics South Africa in *Measuring Poverty in South Africa* (2000) states that the statistics agency:

> '... does not have data on the cost of a basket of food and other products in non-urban areas on which to base the calculation of poverty lines.' (Statistics South Africa, 2000: 57)

7.6 Conceptualisation and definition of poverty in democratic South Africa: 2001 – 2010

The previous section considered the conceptualisation and definition of poverty in the period April 1994 – 2000 from researchers, academics and policy analysts as well as key policy documents from government departments. This section builds on this presentation and goes onto explore the nature and character of the concepts, definitions and measurement of poverty in the decade 2001 – 2010. The objective is the same as in the previous section in that what is sought is evidence and conclusions on the choices of poverty concepts and definitions.

There are relevant publications analysing poverty in the period 2001-2010 that emanate from the research and academic community. The studies that are selected are those that have provided perspectives on poverty analysis and have influenced the concepts and definitions used. Starting with Bhorat, et al (2001) in *Fighting Poverty: Labour Markets and Inequality in South Africa,* to the recent Leibbrandt, M. et al (2010) in *Trends in South African Income Distribution and Poverty since the Fall of Apartheid,* there is a discernible conceptual orientation in the definitions of poverty adopted. Similarly, from government departments, there are policy documents that have been issued in the period 2001 – 2010. Examples are *Report of the Committee of Inquiry into a Comprehensive System of Social Security for South Africa: Transforming the Present – Protecting the Future* (2002b) from the Department of Social Development and recently the *Development Indicators* (2010) from the newly formed National Planning Commission of the Government of South Africa. These are the different sources from which concepts and definitions of poverty utilised are extracted.

7.7 Select studies and writings on poverty from researchers, academics and policy analysts (2001 - 2010)

Leibbrandt, et al (2001) in the "Introduction" in *Fighting Poverty: Labour Markets and Inequality in South Africa*, state that they 'begin by focusing on the critical issue of how to

identify ‘the poor’’. The work of Chambers (1988) that distinguishes five dimensions of poverty is cited and identified as:

> *‘‘poverty proper’*, being a lack of adequate income or assets to generate income; *physical weakness* due to under nutrition, sickness or disability; physical or social *isolation* due to peripheral location, lack of access to goods and services, ignorance or illiteracy.’ (Leibbrandt et al, 2001: 1)

The authors make the point that ‘this chapter is concerned only with ‘poverty proper’ (Leibbrandt, et al, 2001:42) and then proceed to ‘derive and use an absolute poverty line’ . The absolute poverty lines that are derived are:

1. Population cut-off at 40th percentile of households ranked by adult equivalent expenditure.
2. Population cut-off at 50% of national per capita expenditure.
3. Amount of money required to achieve a per capita caloric intake of 8 500 kJ per day.
4. Minimum and supplemental living levels per capita set by the Bureau of Market Research, University of South Africa.
   Supplemental Living Level (SLL).
   Minimum Living Level (MLL).
5. Per adult equivalent household subsistence level (HSL) set by the Institute for Development Planning Research, University of Port Elizabeth.
6. International poverty line of US1 (1985 prices) per capita per day (Leibbrandt et al, 2001:49).

These poverty lines yield percentages of individuals below the poverty line that range from 25,6% to 56,7%. As can be seen, in terms of definitions of poverty, this contribution by Bhorat, et al (2001) does not depart from the work cited above.

One other key study from this period that made pronouncements on poverty was the *South Africa Human Development Report* (UNDP, 2004). This report remains a key contribution in the understanding of poverty in that it was undertaken by a reputable agency of the United Nations that leads on issues on poverty and development and the report is also specific to South Africa. In a section on *Measuring Poverty and Human Development* the ‘overall trends in

poverty and sustainable development' (UNDP, 2004: 40) are presented. On *Income Poverty and the Poverty Gap* the report mentions that:

> 'During the past nine years, many studies have examined the extent of poverty and inequality in South Africa, as well as their links to the labour market, growth and access to services. Estimates about the number of people in poverty vary according to the choice of poverty line and assumptions about the intra-household allocation of resources.' (UNDP, 2004: 40-41)

The authors then use the 'Income and Expenditure Surveys of 1995' and from this survey:

> '… a poverty line of R354 per month per adult equivalent was derived as the national poverty line for 1995. The international poverty lines of $1 purchasing power parity (PPP) a day and $2 PPP a day per person were also selected.' (UNDP, 2004: 41)

Using these poverty lines the conclusion is reached that the report 'highlights the extent of income poverty where absolute poverty and the poverty gap marginally declined between 1995 and 2002, from 51.1 per cent of the population in 1995 to 48.5 per cent in 2002, using the national poverty line (UNDP, 2004: 41)[38].

Over and above the absolute poverty lines adopted in the report, the Human Development Index (HDI), the Human Poverty Index, Gender Empowerment Measure and a South African Service Deprivation Index are introduced, discussed and measured. The HDI is presented as 'a measure of a country's economic and social wellbeing' comprising 'three equally weighted indices: the life expectancy index, the educational attainments index and the gross domestic product (GDP) index' (UNDP, 2004: 43-44). On the Service Deprivation Index (SDI) it is pointed out that this index 'has been developed for the case of South Africa to provide a more encompassing measure. The SDI is discussed in Chapter 8.

[38] The use of the phrase 'national poverty line' is odd considering that South Africa has not adopted an official poverty line and, as the authors acknowledge, many studies have been conducted to analyse poverty and 'estimates about the number of people in poverty vary according to the choice of poverty line'.

Meth and Dias (2004) weighed in with their own perspective on poverty concepts and definitions in the democratic era. Meth and Dias (2004) are of the view that 'there is little need to engage in any lengthy argument here about the business of the selection of an appropriate PL – most of what needs to be said about this topic may be found in Leibbrandt et al (2001)'. The HSL and the World Bank's US$1 a day poverty lines are utilised in the analysis. Following Leibbrandt et al (2001) the poverty lines used are:

> 'The household subsistence level (HSL)-based figure of R293 per month (in constant 1995 prices) to identify workers in poverty in 1995 – inflated using the Consumer Price Index (CPI) to give 1999 and 2002 values – and the World Bank's US$1 a day (which, in 2002 prices, translates into R292 per month per adult equivalent) to identify the ultra-poor. In 1999 prices, the HSL-based PL would amount to about R384 and, in 2002 prices, to roughly R467.' (Meth and Dias, 2004: 62)

Simkins (2004) in an article *What happened to the distribution of income in South Africa between 1995 and 2001?* uses a poverty line of R800 per month household income to analyse inequality and poverty trends in the post-apartheid period. This poverty line is applied in the analysis of the 1995 and 2000 Income and Expenditure Survey as well as investigating changes between the 1996 and 2001 censuses.

Van der Berg et al (2006) in *Trends in Poverty and Inequality since the Political Transition*, in similar practice as the poverty researchers and analysts cited above, set out 'to determine with as much confidence as possible whether poverty has improved or worsened since the political transition'. As the authors explain, 'the first step in poverty analysis is identifying the poor'. This identification of the poor is accomplished utilising poverty lines.

> 'Here two poverty lines are utilised: a lower one set at R250 household income per month or R3 000 per year in 2000 Rand ... and a higher one set at R281 per month or R3 371 household income per year.' (Van der Berg et al, 2006)

It is the work of Hoogeveen and Özler (2006) *Poverty and Inequality in post-apartheid South Africa: 1995-2000* that has been used as a point of reference by a number of poverty

researchers. Examples of poverty studies that use Hoogeveen and Özler and that are part of this discussion are Argent et al (2009) *National Income Dynamics Survey - Poverty: Analysis of the NIDS Wave 1 Dataset,* and Leibbrandt et al (2010) *Trends in South African Income Distribution and Poverty since the Fall of Apartheid.* Hoogeveen and Özler (2006) begin their chapter by informing us that:

> 'Apartheid in South Africa officially came to an end with the democratically held elections in 1994, and in its wake left a population with vast inequalities across racial groups. Using a poverty line of R322 (in 2000 prices) at least 58 per cent of all South Africans, and 68 per cent of the African population, was living in poverty in 1995, while poverty was virtually non-existent for whites.' (Hoogeveen and Özler, 2006: 59)

The concept of poverty adopted is explained as the authors 'draw normative poverty lines to assess poverty in South Africa using the 'cost-of-basic-needs' approach' (Hoogeveen and Özler, 2006: 61). It is further explained that using this cost-of-basic-needs approach:

> '... a reasonable poverty line for South Africa must lie between R322 (lower-bound poverty line) and R593 (upper-bound poverty line) per capita per month in 2000 prices. In this chapter, we report poverty using the lower-bound poverty line as well as the $2/day poverty line which is equivalent to R174 per capita per month. The $2/day is ... also reasonably close to our food poverty line of R211.' (Hoogeveen and Özler, 2006: 63)

In a section on *absolute poverty* an illustration showing changes between 1995 and 2000 is presented. In the illustration 'four vertical lines at R87, R174, R322 and R593' are used and these four lines refer to 'the $1/day, $2/day, lower-bound and upper-bound poverty lines'. (Hoogeveen and Özler, 2006: 64).

In yet another instalment on poverty analysis, Leibbrandt et al (2006) look at changes in household income levels as well as access to state provided services. In a section on *Changing patterns of poverty* we are informed by the authors that they:

> '... focus exclusively on 'money-metric' poverty – that is, we focus on the amount of money income available to households to purchase the goods and services they require.

> Clearly, the experience of poverty is not exclusively a shortage or absence of income, but income poverty is a significant dimension of poverty.' (Leibbrandt et al, 2006: 104)

Two 'money-metric' poverty lines are adopted in the analysis of changing patterns of poverty, namely, $2/day and R250 (1996) per month. In this chapter Leibbrandt et al (2006) pay attention to and analyse changes in access to 'other aspects of living standards such as access to clean water, decent housing and electrification' (Leibbrandt et al, 2006: 104). In the analysis of poverty using the chosen poverty lines and access to services the conclusion is reached that 'even though income poverty seems to have increased, access to basic services has improved, suggesting increases in well-being according to these measures' (Leibbrandt et al, 2006: 131).

Argent et al (2009) in *National Income Dynamics Survey - Poverty: Analysis of the NIDS Wave 1 Dataset*, provide 'a brief application of the 2008 income and expenditure data from the National Income Dynamics Study (NIDS) to the analysis of poverty in South Africa' (Argent et al, 2009: 1). When it comes to the definition of poverty adopted in the Argent et al, (2009: 2) report the reader is informed that:

> 'For the choice of poverty lines we follow Hoogeveen and Özler (2005), using a lower bound line of R322 and an upper bound line of R593, income per capita per month in 2000 prices. Inflating these forward to 2008 prices using CPI we obtain lower and upper bound poverty lines of R502 and R924 respectively.' (Argent et al, 2009: 2)

In the OECD sponsored *Trends in South African Income Distribution and Poverty since the Fall of Apartheid* publication, Leibbrandt, et al (2010), utilise a 'lower poverty line of $2 per day (R91 per person per month in 1996 purchasing power parity terms) and an upper poverty line of R250 per person per month (in 1996 Rands)' (Leibbrandt et al, 2010: 14).

The conceptual angle adopted in the report is explained in this manner:

> 'Analysis of absolute poverty involves drawing a poverty line and concerning ourselves only with the welfare of those that fall below the line. Obviously this understanding of

> poverty renders analyses sensitive to the choice of poverty line, and the welfare measure. We can work around the former problem by considering a broad range of poverty lines rather than a single one. In the body of this report we make use of lower and upper bound poverty lines as recommended by Hoogeveen and Özler (2006).' (Leibbrandt et al, 2010: 35)

Using the Hoogeveen and Özler (2006) recommendation, two poverty lines at R949 and R515 are applied in the estimation of poverty levels for the years 1993, 2000 and 2008. The conclusions reached are that using the R949 poverty line, 72 per cent of South Africans were poor in 1993, 71% per cent of South Africans were poor in 2000, and 70 per cent of South Africans fell below this poverty line in 2008. On the lower poverty line of R515, the figures are 56 percent, 54 per cent and 54 per cent respectively for the years 1993, 2000 and 2008 (Leibbrandt et al, 2010: 36).

The Leibbrandt, et al (2010) report does 'present evidence on the changes in access to services and other assets over the same period' (Leibbrandt et al, 2010: 9). For this evidence the report draws trends from data in 'NIDS[39] data on access to services and assets to comparable data from the General Household Survey (GHS) of 2006 and 2007' and this 'reveals that the improvements in non money-metric wellbeing continued through to 2008' (Leibbrandt et al, 2010: 43).

As in the April 1994 to 2000 period discussed earlier, the decade 2001 to 2010 saw the continued use of minimalist, physical efficiency definitions of poverty. This indicates that conceptually, the definitions of poverty adopted do not take South Africa's Constitution and its provisions into consideration.

[39] National Income Dynamics Survey

7.8 Key policy documents from relevant government departments (2001 - 2010)

In this section four policy documents are considered. The first is the *Report of the Committee of Inquiry into a Comprehensive System of Social Security for South Africa: Transforming the Present Protecting the Future* published in March 2002 (RSA, 2002b), commonly referred to as the Taylor Committee Report. The other three are the *Towards a Ten Year Review: Synthesis Report on Implementation of Government Programmes* issued by the Policy Coordination and Advisory Services at the Presidency (RSA, 2003), the *Fifteen Year Review Synthesis Report* from the same unit at the Presidency (RSA, 2008) and the National Planning Commission's *Development Indicators - 2010* (RSA, 2010). Other than the Taylor Committee Report, which is the work of experts outside government, the other three reports are important in that not only do these official reports capture a particular understanding of poverty from the South African Government's policy perspective, the reports evaluate progress that has been made in the fight against poverty.

The report of the *Committee of Inquiry into a Comprehensive System of Social Security for South Africa* outlines three issues that are of relevance. The first is the centrality of the South African Constitution as a point of reference in tackling South Africa's multi-dimensional poverty. The second is the understanding of poverty from a Townsendian relative poverty conceptualisation. The third are the pronouncements and recommendations on absolute poverty contained in the report.

The Taylor Committee used the country's Constitution as the basis for understanding poverty and to guide state intervention in the provision of comprehensive social security which the committee was exploring in the post-apartheid era and making recommendations on. Socio-economic rights are highlighted and the need to use these constitutional provisions as the basis

in constructing policies and measures in the fight against social exclusion, social deprivation and poverty is raised. Reference is made to the ground-breaking and precedent-setting *State vs Grootboom* case in which the Constitutional Court obligated the state to provide 'families with access to land, access to adequate housing as well as access to healthcare, food, water and social security' (RSA, 2002a: 50). The contribution of the Taylor Committee in the understanding of poverty in the post-apartheid era is presented in detail in Chapter 8 as the Committee conceptualised poverty beyond the absolute, money-metric approach.

Of significance to this thesis is the understanding and definition of poverty that is adopted in the report. Poverty, the report states, is usually defined either in absolute or relative terms.

> 'In absolute terms, poverty reflects an inability to afford an adequate standard of consumption. In this event, one would use a poverty line, reflecting an income level sufficient to afford adequate consumption, as a point to determine who is poor and who is not.' (RSA, 2002b: 16)

This definition of absolute poverty lines is criticized as it 'overlooks the distribution of resources in society' (RSA, 2002b: 16). On the other hand 'relative poverty' is defined to refer to an individual's or group's lack of resources when compared to that of other members of that society. The committee adopted a relative definition of poverty which echoes closely Townsend's definition of poverty. The committee held the view that for a comprehensive social security system, 'poverty can be defined as the inability of individuals, households or entire communities to command sufficient resources to satisfy a socially acceptable minimum standard of living' (RSA, 2002b: 16).

The need for nationally agreed poverty measures is presented in the report.

> 'It is necessary for the Government to decide on a minimum poverty line. It is recommended that this should be an absolute poverty line, e.g. R400 per person per month in 1999 prices, and not a relative poverty line, e.g. the income per person of the household in the 40th percentile. A destitution line should be set as a first realistic

> benchmark that could be used by Government to monitor progress in alleviating poverty. A destitution line could be set at half the poverty line.' (RSA, 2002b: 62)

Without any elaborate explanation on the preference for an absolute poverty line over a multi-dimensional poverty approach in the report, the assumption here is that according to the committee the state should address the 'absolute core of poverty'.

The next key policy document from government is the *Towards a Ten Year Review: Synthesis Report on Implementation of Government Programmes* (RSA, 2003). This government report does make a rather guarded reference to a money-metric poverty measure whilst largely steering away from the use of poverty lines, in preference to multi-dimensional indicators, in the evaluation of progress in the first decade of democracy. The thinking in the report projects from the understanding that 'in line with the prescripts of the new Constitution, new policies and programmes have been put in place to dramatically improve the quality of life of all the people' (RSA, 2003: 2). The report settles for 'composite indicators of impact to show how government has affected the lives of the South African population' (RSA, 2003: 5) in the period under review.

The report contains a section on income poverty alleviation in which the observation is made that:

> 'According to Statistics South Africa, it is estimated that in 1995 approximately 28% of households and 48% of the population were living below the estimated poverty line – calculated on the basis of expenditure, thus excluding access to services and assets. In 1999, there were 3.7 million such households out of 11.4 million (just under 33%) living below the poverty line.' (RSA, 2003: 17)

The Statistics South Africa poverty line that is referred to is not stated or explained in the report.

After this review of government performance in the first ten years of democracy, the Presidency undertook another government performance review which culminated in the *Fifteen Year Review Synthesis Report* (RSA, 2008) published by the Policy Coordination and Advisory Services. Absolute, physical efficiency, money-metric poverty lines commonly used by poverty researchers and analysts are discussed and used in this report. Under 'poverty trends' in the report the statement is made that:

> 'In the absence of an official poverty line, two lines were used in research for the review: a lower poverty line of R174 per person per month; and an upper line of R322 per person per month, in 2000 prices.' (RSA, 2003: 18)

The conclusion is reached that, using the above poverty lines:

> '... there was reduction in both absolute income poverty (the income of poor people) and relative income poverty (the poverty gap, that is, the gap between the average income of poor people and the poverty line) ... [and] ... for Africans, relative poverty levels declined by six to seven percentage points for both poverty lines. Africans, however, also account for a disproportionate share of poverty – although 77% of the population in 1995, and 79% in 2005, in both years they accounted for 93% of those living on less than R322 a month.' (RSA, 2003: 18)

Using the two poverty lines, the changes in poverty trends are as presented in the following Table:

Table 15: Income Poverty Trends

Headcount rate	1995	2005
R322 a month		
African	63,04%	56,34%
Coloured	39,00%	34,19%
Asian	4,71%	8,43%
White	0,53%	0,38%
Total	**52,54%**	**47,99%**
R174 a month		
African	38,18%	27,15%
Coloured	14,62%	12,30%
Asian	0,82%	1,60%
White	0,23%	0,01%
Total	**30,92%**	**22,68%**

The source for these figures is given as H. Bhorat et al, 2008, paper commissioned for the Fifteen Year Review, analyzing Statistics SA's *Income and Expenditure Surveys* (RSA, 2008). Over and above the analysis of poverty trends outlined above, the *Fifteen Year Review* presents in great detail trends in human capital poverty alleviation and an analysis of access to services over the years from 1996, 2001 to 2007, education and health (RSA, 2008: 21-24). These reflect an understanding of poverty from a multi-dimensional perspective that goes beyond absolute money-metric measures.

A further key policy analysis document from government is the annual *Development Indicators* from the National Planning Commission. The publication informs us that:

> 'The Development Indicators released during the last months of 2010, are a product of a variety of official statistics, government data bases and research by various institutions and like previous editions are clustered into about ten themes, namely economic growth and transformation, employment, poverty, inequality, household and community assets, health, education, social cohesion, safety and security, international relations and good governance. The Development Indicators are important in that they are measures that assist in understanding the impact of various government policies and programmes on the country and its citizens.' (RSA, 2010: 1)

On poverty measurement the choice that is made in the 2010 issue of *Development Indicators* is the use of two poverty lines of R524 and R283 respectively. The analysis utilizing these lines reaches the conclusion that:

> 'Using a R524 poverty line poverty headcount index decreased from 58% in 2000 to 49% in 2008. Using a R283 poverty line poverty headcount decreased from 38% in 2000 to 22% in 2008.' (RSA, 2010: 26)

Other than the two poverty lines indicated, a further poverty line of R388 (in 2008 constant rand) derived using the South African Advertising Research Foundation's All Media Products Survey is adopted to show changes from 1993 to 2008. Similar to the *Ten Year Review* and the *Fifteen Year Review*, the *Development Indicators 2010* provides analyses and figures on housing needs, potable water, sanitation, electricity, land restitution, land redistribution, life

expectancy, infant and child mortality, malnutrition and education. This demonstrates the importance of going beyond the poverty lines used, especially in the post-apartheid period.

The key policy documents considered above, provide evidence of absolute and physical efficiency poverty lines. However, there is at the same time, in the same breath so to say, a clear understanding of poverty as a fundamentally multi-dimensional phenomenon.

7.9 Concluding remarks

This Chapter set out to answer the question: How is poverty conceptualised and defined in the post-apartheid democratic era in South Africa? The overwhelming majority of studies on poverty in South Africa have used poverty definitions and measures constructed during the apartheid era. The Institute for Planning Research's HSL, first published in April 1973 and the Bureau of Market Research's MLL and the SLL both conceptually aligned to the PDL continue to feature prominently in poverty research and studies in the post-apartheid period. The apartheid legacy in the conceptualisation and definition of poverty continues.

The World Bank with its established expertise and use of absolute poverty lines is having an enduring influence on poverty measurement and poverty lines used to estimate poverty in South Africa in the post-apartheid era. Different forms of absolute poverty lines can be traced back to the first post-1994 study conducted by the World Bank. The use of caloric intake measures and the 1US dollar per day purportedly 'international poverty line' and the relative 20% and 40% cut off poverty lines which determine the poor *a priori* are the new additions on apartheid era poverty measures in South Africa.

Key government policy documents considered indicate an uncritical use of absolute and minimalist poverty definitions and poverty lines whilst in the very same documents presenting an understanding of poverty as a multi-dimensional social and economic phenomenon. It is fair to hazard the observation that the origins and use of the HSL and MLL remain unexplored and unknown to the researchers and writers on poverty in terms of what Edward Batson designed the PDL to capture and represent.

The following Chapter looks at studies and analysis of poverty undertaken in the democratic period that capture a closer alignment to the Constitution of South Africa and resonate more with the social and economic rights in the Bill of Rights.

Chapter 8 The conceptualisation and definition of poverty in democratic South Africa: approaches that resonate with the South African Constitution

8.1 Introduction

The conclusion reached in Chapter 7 is that absolute physical efficiency definitions of poverty predominate in the post-apartheid period. As the authors of the *Poverty and Inequality Report* (RSA, 1998a) confirmed, attention on definition and measurement of poverty is on what is considered to be 'easily and objectively measurable'.

Although few and far in between, compared to the absolute money-metric analyses, there is a steadily growing number of studies in the post-1994 era that have, conceptually, shifted beyond

money-metric approaches in depicting the nature and extent of poverty in South Africa. There is a progressive dilution of minimalism that focusses on the attainment of the physiological minima. This progressive dilution is evident in the work of for example, Statistics South Africa (2000), Klasen (2000), UNDP (2004), Noble et al (2006), Wright, et al (2007). In order to present a balanced and accurate reflection of what is unfolding with regards to concepts and definitions of poverty in the democratic era, the research, studies and analyses that view poverty as more than the absence of an income to attain physical efficiency rightfully deserve attention. These studies and analyses of poverty are premised on the conceptual basis that poverty is fundamentally multi-dimensional and the understanding of poverty has to be informed by this basic fact. The research, studies and analyses that Chapter 8 focuses on are those that, as alluded to in *Measuring Poverty in South Africa* (Statistics South Africa, 2000: 54) consider poverty in a 'broader perspective than merely the extent of low income or low expenditure'.

In South Africa the conceptualisation and definition of poverty as a multi-dimensional social and economic phenomenon is not just a matter of choice. The compelling factors derive from the social, political and economic history of the society. Conceptualising and defining poverty as the attainment of merely physical efficiency, it has to be argued, will entrench rather than reflect a departure from the apartheid legacy. The Constitution of South Africa compels an approach to the understanding of poverty that is crucially beyond the attainment of merely physical efficiency. There is, in the post-apartheid society, research and analyses that in the conceptual approaches adopted, reject, in part or fully, the definition of poverty as the extent of low income or low expenditure.

The multi-dimensional nature of poverty, especially in South Africa's post-discrimination society, is affirmed, for instance, in the White Paper for Reconstruction and Development (RSA, 1996d), a document of great import that embodied policy orientation and programmes of the post-apartheid state. At the heart of the Government of National Unity, the newly formed democratic government asserted:

> '... is a commitment to effectively address the problems of poverty and the gross inequality evident in all aspects of South African society … [and] ... alleviate the poverty, low wages and extreme inequalities in wages and wealth generated by the apartheid system to meet basic needs, and thus ensure that every South African has a decent living standard and economic security.' (RSA, 1996d)

For the objective this Chapter is designed to meet, the issues of low wages, inequalities, meeting basic needs and decent living standard, together represent a multi-dimensional view and approach to poverty. This is paramount. The relevance of the research, studies and analyses of poverty covered in this Chapter lies not only in that poverty is seen as multi-dimensional. The relevance lies as well in the fact that the conceptual approaches adopted and definitions used resonate with the South African Constitution. Whilst the absolute concepts and definitions of poverty are centred on the attainment of physical efficiency, the social and economic rights in the Constitution are centred on achieving human dignity and social justice, arguably calling for a comprehensive multi-dimensional understanding of poverty that goes beyond achieving physical survival. The studies and analyses presented here are closer to the provisions of the Constitution in poverty concepts and definitions.

The research, studies and analyses considered do not necessarily set out to operationalise the Constitution. In different ways, using different data and information sources for the analyses undertaken, this work on poverty considers the critical aspects and dimensions of poverty at a

particular period in South Africa. The research, studies and analyses presented in this Chapter encompass a wide range of studies in terms of conceptual approaches and different methodologies. For example, Statistics South Africa (2000) experimented with the Household Infrastructure Index (HII) and the Household Circumstances Index (HCI). Bhorat et al (2004) compare progress that has been made between the 1996 and 2001 censuses. In *Towards a Ten Year Review* (RSA, 2003), the analyses conducted opted for 'composite indicators' in order to assess progress in various categories of human development. Further, in an approach closely resonating with the South African Constitution, Wright et al (2007) constructed a list of possible necessities for full participation in South African society. The recently compiled South Africa's *Development Indicators – 2010* (RSA, 2010) takes a wide range of issues and dimensions of poverty that are essential for social and economic inclusion and full citizenship.

As the detail of the research, studies and analyses is outlined, it is vital that Edward Batson's PDL and the purpose he intended the PDL to serve, the derivatives of the PDL, the HSL and MLL, the evidently influential *Key Indicators of Poverty in South Africa* (RSA, 1995a) undertaken by the World Bank, are borne in mind as concepts and definitions of poverty that resonate with the Constitution are explored. The values (social justice and human dignity and the commitment to improve the quality of life of all citizens) and the social and economic rights in the Constitution have to be in the foreground as concepts and definitions that resonate with the Constitution are investigated.

8.2 Approaches to the conceptualisation and definition of poverty that resonate with the South African Constitution

In the year 2000, Statistics South Africa 'evolved two development indices based on the 1996 Census, namely the Household infrastructure index and the Household circumstances index to describe the extent of development of different areas in South Africa' (Statistics South Africa, 2000: 74). The indices constructed by the national statistics agency added a new dimension to the ways in which poverty and deprivation is understood and measured in the post-apartheid era. The Household infrastructure index comprised of the following eight indicators – living in formal housing, access to electricity for lighting, tap water inside the dwelling, a flush or a chemical toilet, a telephone in dwelling or cellular telephone, refuse removal at least once a week, level of education of household head and monthly household expenditure. The household circumstances index comprised of the following indicators – unemployment rate (expanded definition), average household size and children under the age of five years.

These two Statistics South Africa indices bring into the broad perspective on poverty housing, water, sanitation, education and children. The resonance with the Constitution in the two Statistics South Africa indices is apparent. Housing, water, education and the rights of children are all part of social and economic rights enshrined in the Constitution.

Klasen (2000: 1) in *Measuring Poverty and Deprivation in South Africa* tests a 'specifically created composite measure of deprivation using household survey data from South Africa' sourced from the PSLSD. In the paper the author highlights the same conceptual issues and differences in approach in understanding poverty outlined in Chapter 7 and those that are the topic of this chapter. Klasen's understanding is that:

> 'Two schools have emerged on this important measurement issue. One has defined poverty primarily in financial terms (insufficient incomes or consumption) (e.g. Ravallion and Chen, 1997; World Bank, 1990, 1997), while others have sought a more

> broad-based definition of poverty not solely based on financial resources (e.g. UNOP, 1997; Dreze and Sen, 1989).' (Klasen, 2000: 3)

Klasen's (2000) composite index is made up of 14 components namely education, income, health, housing, water, sanitation, energy, employment, transport, financial services, nutrition, health care, safety and perceived well-being. What Klasen chooses to include in his 'broad-based definition of poverty' is informative. The choice of items and services is specific and relevant. Specific to South Africa as the type of deprivation experienced by the majority of South Africans is depicted. Relevant as it captures what poverty means in the post-apartheid society. Here again, in Klasen's (2000) *Measuring Poverty and Deprivation in South Africa* the understanding of poverty as multi-dimensional and the conceptual and definitional link with the South Africa's Constitution is evident.

In 2003, UNDP published the *South Africa Human Development Report 2003 - The Challenge of Sustainable Development in South Africa: Unlocking People's Creativity* (UNDP, 2004). The report 'sets out a sustainable development strategy for South Africa' (UNDP, 2004: 5) and evaluates economic and social policy choices and their outcomes and progress made on these policies in the unfolding post-apartheid era. The authors of the report demonstrate an awareness of the historical denial of social citizenship in South Africa when it is observed that:

> 'The first democratically elected government in South Africa inherited an extremely skewed system of access to basic services, reflecting, in the main, the widespread racial discrimination under apartheid.' (UNDP, 2004: 47)

Among many social and economic indicators introduced and used to evaluate progress, this UNDP report pilots a Service Deprivation Index (SDI). The SDI is calculated for the 1996 and 2001 censuses. It is spelt out that the SDI:

> '... has been developed for the case of South Africa to provide a *more encompassing measure* (own emphasis) of the distribution of progress, and to measure the backlog of deprivation that still exists in seven dimensions of basic services. The seven basic services used for the calculation of SDI are: housing, energy for cooking, energy for heating, energy for lighting, water, toilet facilities and refuse removal.' (UNDP, 2004: 47)

On the SDI, the UNDP report concludes that:

> '... in both 1996 and 2001, more than 50 per cent of total deprivation as judged by the headcount index come from three provinces: KwaZulu-Natal, Eastern Cape and Limpopo. The maximum percentage contribution to total deprivation comes from KwaZulu-Natal.' (UNDP, 2004: 48)

The historical legacy of the apartheid system with homelands as the highlight in the social and political expression of racial discrimination is apparent in this observation and conclusion using the SDI.

The UNDP *South Africa Human Development Report* (UNDP, 2004) is an affirmation of the understanding of poverty as multi-dimensional. The SDI piloted in the report, and the argument as to the relevance of the SDI in capturing deprivation in South African society affirm the need to consider poverty beyond absolute money-metric measures. The SDI is constructed to capture South Africa's 'inherited' social challenges and the manifest deprivation in services that are essential in the realisation of the values and vision of South Africa's Constitution of human dignity, social justice and the improvement of the quality of life of all citizens. The SDI is seen as more aligned to what can be called the post-apartheid human and social development project.

The *Towards a Ten Year Review Report* (RSA, 2003) was an outcome of the decision of the South African government to evaluate progress that had been made in the first decade of democracy. Analysis of the writing in the report shows that there was already sensitivity to concepts, measures and indicators that are appropriate to capture progress. The report sought to evaluate progress on new policies and programmes in the first decade of democracy that were put in place 'in line with the prescripts of the new Constitution' (RSA, 2003: 2).

A total of six different indices are mentioned and described in the report. These are the infrastructure index, quality of life index, political participation index, social inclusion index, economic participation index and economic preparedness index. In a section on 'Measuring impact' it is stated that 'composite indicators are used in this section to assess progress in various categories of human development' (RSA, 2003: 87). As these indices were designed to evaluate progress against policies and programmes in line with the provisions stipulated in the Constitution, and are therefore explicitly in line with the concepts, definitions and measurements that resonate with the Constitution, they are presented here in detail.

Expanding on the section on 'Measuring impact' the different indices are presented and explained.

> 'The first composite indicator used is the infrastructure index which seeks to assess the direct impact of the services that government has delivered in the past nine years. This index aims to capture the changing environment in which households find themselves in terms of their ability to access basic infrastructural services (housing, water and sanitation, electricity and telephones). Because the infrastructure index focuses primarily on hard services, a quality of life index was created which also reflects the impact of social services. Quality of life is a broader concept which needs to capture physical well-being and environmental conditions. This index includes access to health, adult functional literacy and environmental quality.' (RSA, 2003: 88)

A political participation index is described as an index 'which measures political and union participation and social trust in the institutions of the State' (RSA, 2003: 89). In the report, a social inclusion index 'which measures household stability, people's inclusion in society, and participation in cultural organisations' is presented and progress in its attainment evaluated. The safety and security index 'compares serious crime, prosecution and resolution'. The economic participation index refers to and measures 'employment, the proportion of non-poor

and earnings' (RSA, 2003: 89) whilst the economic preparedness index 'relates economic participation to education levels (including maths and science education) (RSA, 2003: 90).

As mentioned in Chapter 7, there is no poverty line that appears in the *Towards a Ten Year Review Report* (RSA, 2003). That is in itself instructive. The six different indices when taken together assist in capturing a far more comprehensive and broad perspective on the issue of multi-dimensional poverty. The six indices provide an understanding of poverty that is more aligned to the Constitution. The reference to the 'prescripts of the new Constitution' and the choice of 'composite indicators' it is fair to surmise, is not accidental and shows an awareness that the Constitution provides a guideline when considering 'impact to show how government has affected the lives of the South African population' (RSA, 2003; 5).

The 2004 analysis by Bhorat et al (2004) in *Dimensions of Poverty in Post-Apartheid South Africa: 1996 - 2001* is an example, as affirmed by the authors, of the limitations of the money metric approach in the definition of poverty. Conceptually the analysis of the changes between the 1996 and the 2001 censuses locates poverty within a multi-dimensional context and within a framework of analysis that considers the specific challenges of post-apartheid democratic society. Bhorat et al (2004) start with a question that is salient to the conceptual and definition issues on poverty that are the primary concern of this thesis. The authors ask 'What is poverty and how do we measure it?' (Bhorat et al 2004: 1). We are then presented with three conceptual perspectives on poverty that move beyond the limitations of money-metric approaches. The first perspective cites the *World Bank's World Development Report 2000/2001: Attacking Poverty* in this reference:

> ‘To be poor is to be hungry, to lack shelter and clothing, to be sick and not cared for, to be illiterate and not schooled. But for poor people, living in poverty is more than this. Poor people are particularly vulnerable to adverse events outside their control. They are often treated badly by institutions of state and society and excluded from voice and power in those institutions.’ (World Bank, 2000: 15)

The second conceptual perspective cited by Bhorat et al (2004) is derived from UNDP and states that ‘from a human development perspective, poverty means the denial of choices and opportunities for a tolerable life” (UNDP, 1997: 5). The third perspective is taken from Amartyle Sen where he makes the observation that ‘policy debates have indeed been distorted by overemphasis on income poverty and income inequality, to the neglect of deprivations that relate to other variables, such as unemployment, ill health, lack of education, and social exclusion’ (Sen, 1999: 108).

With this background on poverty concepts and definitions the authors submit the view that ‘poverty takes on multiple dimensions and in essence describes a state of deprivation that prevents an individual from attaining some minimum “socially acceptable” standard of living’ (Bhorat et al, 2004: 1). The authors take this definition further and the definition is expanded on through, first, making the assertion that ‘an alternative approach to measuring poverty is to use asset-based indicators’, and, second, through identifying elements to operationalise the definition by informing us that:

> ‘In asset-based approaches to poverty analysis, there are a set of fairly standard indicators that are used to measure relative wellbeing. These range from the type of dwelling individuals reside in, access to basic services such as clean drinking water, refuse removal, sanitation, energy for cooking and lighting, to utilisation of assets such as refrigerators, telephones and radios.’ (Bhorat et al, 2004: 2)

Analysis of changes between the two censuses is then carried out through looking at, as part of asset and service deprivation (dwellings, water, sanitation, energy types, refuse removal and private goods). This is augmented by considering economic activity, education present and future opportunities, health and crime.

The analysis in the report is interspersed with important points on multi-dimensional poverty and the importance of some of the services provided by government. The relevance and importance of going beyond money-metric approaches is highlighted through points such as 'access to clean drinking water and sanitation services provides a *fundamental* (own emphasis) basis for promoting good health of the population' (Bhorat et al, 2004: 6). From the analysis undertaken, the authors draw the conclusion that:

> '... it is clear that any analysis of poverty in South Africa, should combine both the standard income approach to poverty with appropriate measures of the assets owned and services accessed by the populace. These latter indicators are vital markers for the degree and extent of 'entitlement deprivation' in the society ... Ultimately though, the report has attempted to provide a post-apartheid snapshot of some of the advances that have been made in asset ownership and services provision to poor households. They reflect simultaneously, on the advances that have been made in certain respects, and the significant challenges that lay ahead for this society.' (Bhorat et al, 2004: 23)

Wright et al, (2007) published *Towards a democratic definition of poverty: socially perceived necessities in South Africa.* In the unfolding terrain of concepts and definitions of poverty this publication represents a high watermark in poverty studies in South Africa in the post-apartheid era as the conceptual approach and methodology adopted in the research and analysis has not been applied before in South Africa. Not only is the approach an innovative one in South Africa, there is a strong conceptual resonance between what the research in *Towards a democratic definition of poverty: socially perceived necessities in South Africa* sought to

explore and some of the main provisions of the South African Constitution. There is a connection between the items identified as essential (socially perceived necessities) by South Africans and the vision and aspirations of the type of society enshrined in the Constitution. The conceptual approach, methodology and results of the poverty research and analysis are detailed below.

The authors set out 'to contribute to the theoretical debate on the conceptualisation and definition of poverty in South Africa' (Wright et al, 2007: 1) This contribution is made by 'considering the results of a national survey of the views of South Africans about the necessities in life' (Wright et al, 2007: 1). Crucially in this piece of research 'a definition of poverty is explored which reflects the common aspirations of all citizens' (Wright et al, 2007: 4) in South Africa's democratic dispensation. Pursuing this exploration, the report 'presents findings on the extent to which there is a common set of items, activities and services that collectively South Africans identify as necessary' (Wright et al, 2007: 4).

This approach of arriving at a democratic definition of poverty in a society, at a particular time, has been applied and refined primarily in Britain and tested in other countries as well. The Wright et al, (2007) study draws from three main surveys conducted in Britain. The first is the 'Living in Britain' survey undertaken in 1983 (Mack and Lansley, 1985). The second is the 'Breadline Britain in the 1990s' (Gordon and Pantazis, 1997). The third survey is the 'Millennium Poverty and Social Exclusion' conducted in 1999 in the UK (Pantazis et al, 2006).

Similar to the studies undertaken in Britain outlined above, the methodology of arriving at a democratic definition of poverty in South Africa in the democratic era through the identification of a list of socially perceived necessities involved two critical stages. The first stage entailed the construction of a list of necessities 'by establishing the views of members of society using focus groups with carefully constructed and tested non-leading questions' (Wright et al, 2007: 3). The research 'began with a series of focus groups across South Africa, to explore what possessions, services and activities people regarded as essential that each and every person in South Africa should have, have access to, or be able to do, in order that they could participate fully in South African society' (Wright et al, 2007: 5).

The second stage involved 'drawing from the focus group material, a list of items … [that]… were included in the 2005 South African Social Attitudes Survey (SASAS)[40], to obtain a nationally representative list of items, activities and services that the majority of people defined as essential for an acceptable standard of living' (Wright et al, 2007: 6). From the focus groups a list of 56 questions were identified of which 37 were about possessions, four about activities, nine about the neighbourhood and six about relationships with friends and family (Wright et al, 2007: 6).

After running the 56 items in the nationally representative sample in SASAS, the results showed that 'of the 56 items, 38 (68%) were defined as essential by half or more of the

[40] SASAS is the South African Social Attitudes Survey, a national representative survey undertaken regularly by the Human Science Research Council in South Africa to gauge the attitudes of South Africans on key national issues and topics.

respondents' (Wright et al, 2007: 9). The table below shows the 56 items. The 38 items identified as essential by half or more of the respondents are shown in bold.

Table 16	
Item	**% of all saying essential**
Someone to look after you if you are very ill	**91**
A house that is strong enough to stand up to the weather e.g. rain, wind etc.	**91**
Street lighting	**90**
Mains electricity in the house	**90**
A fridge	**89**
Clothing sufficient to keep you warm and dry	**85**
Separate bedrooms for adults and children	**85**
Tarred roads close to the house	**85**
A flush toilet in the house	**84**
For parents or other carers to be able to buy complete school uniform for children without hardship	**83**
Having an adult from the household at home at all times when children under ten from the household are at home	**83**
Ability to pay or contribute to funerals/funeral insurance/burial society	**81**
A place of worship (church/mosque/synagogue) in the local area	**81**
People who are sick are able to afford all medicines prescribed by their doctor	**81**
Somewhere for children to play safely outside of the house	**78**
A radio	**77**
Having police on the streets in the local area	**77**
Regular savings for emergencies	**74**
A neighbourhood without rubbish/refuse/garbage in the streets	**74**
Being able to visit friends and family in hospital or other institutions	**74**
Electric cooker	**74**
Television/ TV	**72**
Someone to transport you in a vehicle if you needed to travel in an emergency	**72**
Someone to talk to if you are feeling upset or depressed	**72**
A fence or wall around the property	**71**
A bath or shower in the house	**69**
A large supermarket in the local area	**67**
A neighbourhood without smoke or smog in the air	**65**
Burglar bars in the house	**64**
A landline phone	**64**
Some new (not second-hand or handed-down) clothes	**63**
A cell phone	**63**
Someone who you think could find you paid employment if you were without it	**61**
Someone to lend you money in an emergency	**59**
Meat or fish or vegetarian equivalent every day	**59**
A garden	**56**
A car	**56**
A sofa/lounge suite	**52**
Special meal at Christmas or equivalent festival	49
A lock-up garage for vehicles	47
A small amount of money to spend on yourself not on your family each week	46
Going to town/to a large supermarket for the day	45
For parents or other carers to be able to afford toys for children to play with	45
A burglar alarm system for the house	42

Having enough money to give presents on special occasions such as birthdays, weddings, funerals	42
A wheelbarrow	41
Washing machine	38
A family take-away or bring-home meal once a month	38
A holiday away from home for one week a year, not visiting relatives	37
An armed response service for the house	31
A cinema in the local area	30
A DVD player	29
A computer in the home	28
Money to buy a magazine	20
Satellite Television/DSTV	19
A domestic worker	18

The conclusion in the report, drawn from the research pioneering the socially perceived necessities approach, is key in that the analysis:

> '... demonstrates that people do not define an acceptable standard of living simply in terms of items relating to mere survival or subsistence: not only do the essential items reflect a lifestyle that exceeds mere survival, but they also represent the multidimensional nature of such a lifestyle in terms of aspects of poverty and social exclusion.' (Wright et al, 2007: 23)

An examination of the socially perceived necessities identified in the *Towards a democratic definition of poverty: socially perceived necessities in South Africa* report shows a compelling link with some of the central tenets of the South African Constitution. The values of human dignity, social justice and the commitment to improve the quality of life of all South Africans resonate in a convincing manner with the views of South Africans with regards to an acceptable standard of living.

Next, coming out of the *Fifteen Year Review Synthesis Report* (RSA, 2008) undertaken by the South African government, poverty trends using the predominant absolute measures are presented. However, beyond the absolute, money metric poverty lines, the *Fifteen Year Review Synthesis Report* (RSA, 2008) provides detail on 'human capital poverty alleviation' and 'asset

poverty alleviation'. In the report a multi-pronged approach is adopted in the discussion and presentation on poverty alleviation. The understanding offered is that:

> 'The social programmes of government are critical to alleviating poverty and reducing inequality, as elements of the broader objective of promoting development. Poverty reduction focuses on the three key dimensions: income poverty, human capital poverty and asset poverty.' (RSA, 2008: 17)

As part of human capital poverty alleviation, reference is made to '*universal* (own emphasis) access to basic services' (RSA, 2008; 21). This captures the understanding that, first, these services are important and central in poverty alleviation, and, second, that all South Africans should have access to these basic services. The report mentions that:

> 'Government is committed to providing access to electricity, water and sanitation as basic services. A further commitment is to ensure that access to these basic services is not solely determined by the ability to pay. Consequently, government provides free basic services to poor households: 6 000 litres of water a month and electricity worth 50kwh per month.' (RSA, 2008: 21)

A breakdown of access to these services for the years 1996, 2001 and 2007 is given. Detail is further provided on education and health. This observation is made on these key aspects of poverty that in the post-apartheid era:

> 'The key challenge is to ensure that schools in previously disadvantaged areas are improved to make them welcoming for young people. There will be the added advantage that education will more effectively play a key role in the development of young people ... [and on health] ... the increase in per capita health spend was 22% in real terms over the 10-year period from 1996 to 2006, according to figures from National Treasury, or 2% per annum compound growth. The increases in real expenditure are reflected in expanded infrastructure, upgrading of facilities and broadening the available package of health services.' (RSA, 2008: 24)

On asset poverty alleviation, progress in the provision of housing and the land restitution programme is evaluated in the *Fifteen Year Review Synthesis Report* (RSA, 2008).

A further key policy document from government that articulates a multi-dimensional perspective on poverty is the annual *Development Indicators* from the National Planning Commission. The *Development Indicators* provide comprehensive figures and information and 'measures that assist in understanding the impact of various government policies and programmes on the country and its citizens' (RSA, 2010: 1). The statistics and measures are provided for different but related themes, 'namely economic growth and transformation, employment, poverty, inequality, household and community assets, health, education, social cohesion, safety and security, international relations and good governance' (RSA, 2010: 1).

Poverty lines are used in this publication. However what is conceptually relevant with the published 'development' indicators is that, in the South African context, for the country to achieve comprehensive development and tackle multi-dimensional poverty, the issues covered under the ten themes (economic growth and transformation, employment, poverty, inequality, household and community assets, health, education, social cohesion, safety and security, international relations and good governance) are all critical and central aspects of South African society that are in line with and address provisions in the Constitution. Conceptually, this multiple theme perspective on development views poverty as multi-dimensional and has resonance with the Constitution. Whilst the dimension of household and individual income is seen as important, for example through looking at unemployment, the other dimensions of poverty are reviewed in great detail and progress in achieving them evaluated.

In a similar flow of thinking as in the *Fifteen Year Review Synthesis Report* (RSA, 2008), the National Planning Commission's *Development Indicators* present detailed information and figures on asset poverty and human capital poverty. Under household and community assets, figures showing progress with provincial breakdowns are provided on dwellings, portable water, sanitation, electricity and land restitution (RSA, 2010: 30-35). On health, figures are presented on life expectancy, infant and child mortality and under-five child malnutrition levels (RSA, 2010: 36-38). These indicators represent some of the most sensitive indices that capture positive or negative progress on human development. Statistics on education and figures on educator-learner ratio and enrolment rates are presented. These figures are a yardstick against which to measure South Africa's progress in quality education and access to education as prescribed in the country's Constitution. The *Development Indicators 2010* (RSA, 2010) offer a comprehensive picture of South African society covering key issues on human, social and economic development. In this picture of South African society, the analysis of multi-dimensional poverty is in line with the Constitution.

8.3 Concluding remarks

This Chapter set out to explore research, studies and analyses of poverty in the post-apartheid period that go beyond absolute and physical efficiency concepts and definitions of poverty. Whilst few in number, the research, studies and analyses of poverty explored view poverty, in line with the social and economic rights in the South African Constitution, as fundamentally multi-dimensional. These studies and analyses therefore move away from concepts and definitions of poverty that are limited to low income or low expenditure only. In the conceptualisation and definition of poverty from a 'broad perspective' in contrast to a 'narrow perspective', these studies, admittedly in different degrees, not only resonate with the

Constitution, but are also relevant and proper for the specific historical, political and economic circumstance and context of post-apartheid society.

The social and economic rights in the Bill of Rights of the South African Constitution provide that all citizens enjoy adequate housing, health care, food, water, social security and quality education, and for children, nutrition, shelter, health care services and social services. In comparison the research, studies and analyses outlined in this Chapter cover and contain, in different ways, these constitutional provisions in the conceptualisation and definition of poverty adopted. The research, studies and analyses explored, namely, Statistics South Africa's (2000) household infrastructure index and the household circumstances index, Klasen's (2000) composite deprivation index, the UNDP (2004) Services Deprivation Index, the socially perceived necessities identified in Wright et al (2007), the *Ten Year Review* (RSA, 2003), the *Fifteen Year Review* (RSA, 2008) and *Development Indicators* (RSA, 2010), all settle for comprehensive indicators and themes that present the conceptualisation of poverty that is in line with the Constitution of the country.

Chapter 9 Conclusion`

This concluding Chapter brings together the main arguments and observations on citizenship and the politics of poverty definition made in the thesis. The Chapter draws conclusions on the topic and the research questions that were set. The thesis set out to explore the denial of full citizenship, the citizenship with rights in democratic South Africa and the politics of poverty definition covering the segregation, apartheid and post-apartheid periods. Four related themes in social policy were employed to provide the framework on which the discussion in the thesis is based. The first theme is citizenship with a specific focus on social citizenship. The second theme is poverty, particularly multi-dimensional poverty. The third theme examined the link at a conceptual level between citizenship and poverty. The fourth theme considered the intersection of the two concepts of citizenship from a historical perspective bringing together, on the one hand, the denial of full citizenship to blacks and the adoption of the corresponding physiological minima poverty definitions, and, on the other hand, the conceptual discord between South Africa's post-apartheid Constitution that enshrines social and economic rights, and absolute, minimalist, physical efficiency poverty definitions. Marshall's theory of

citizenship with its three elements of political, civil and social rights was used as the theoretic-analytic framework.

Arguments were advanced in the thesis that social citizenship, with its focus on 'the right to a modicum of economic welfare and security' (Marshall, 1950), informs how poverty is understood and therefore the poverty concepts and definitions used in a society. The conceptual link between citizenship and poverty was applied in the South African context to evaluate the extent to which there is alignment or discord and disconnect between the two in the three periods of segregation, apartheid and democracy. In post-apartheid South Africa the conceptual link is between the social and economic rights in the Bill of Rights of the South African Constitution, which engender a citizenship with rights, and definitions of poverty in research, studies and analyses of poverty.

The main research question that the thesis answered is *'to what extent are definitions of poverty in the post-apartheid democratic era linked and connected to South Africa's Constitution with the Bill of Rights containing explicit social and economic rights?'.* In providing answers to this main question, both the issue of full citizenship with rights (and the denial of full citizenship in the segregation and apartheid eras) and the conceptualization and definition of poverty were given analytic treatment from a historical perspective. As captured in the thesis the importance of the historical analysis on both citizenship and poverty lies in that there are antecedents in South Africa on both citizenship and poverty as policies, laws and practices as well the struggle for full citizenship in the segregation and apartheid era show.

Accompanying the main question, the following related questions were identified and answered:

i. If citizenship and poverty are conceptually linked, two related questions are raised. First, what form with regards to policies, laws and practices did the denial of citizenship take in the segregation and apartheid periods? Second, what is the understanding and definition of poverty that predominated during the segregation and apartheid periods?
ii. What are the historical origins and meaning of the 'citizenship with rights' that is the foundation of post-apartheid democratic South Africa?
iii. What are the implications of the 'citizenship with rights' for poverty definition and measurement in post-apartheid South Africa?
iv. What definitions of poverty are used in the post-apartheid democratic era by government and academia?
v. Is there any evidence of the conceptualisation and definition of poverty in the democratic era that resonate with the Constitution?

Each Chapter and the whole thesis was designed to illuminate responses to the research questions. The central conclusion reached is that in the post-apartheid democratic period the predominant conceptualisation and definition of poverty remains rooted in the apartheid era as poverty is defined in minimalist, absolute and 'physical efficiency' terms. The apartheid legacy, as indicated in the use of apartheid era poverty lines, continues. This conceptualisation and definition of poverty is not aligned to the values, provisions and social and economic rights contained in the South African Constitution.

When the social and economic rights in the Bill of Rights of the Constitution and the Constitutional values and provisions on human dignity, social justice and the improvement of

the quality of life of all South Africans, are considered together, the South African Constitution provides and inescapable point of reference and guide for the conceptualisation and definition of poverty in the post-apartheid democratic era. In a direct way, the link between the South African Constitution and poverty has been expressed in numerous instances by the Constitutional Court. For example, pointing to this link, the Constitutional Court stated that 'millions of people are living in deplorable conditions and in great poverty' and transforming South African society and addressing this poverty 'lies at the heart of our new constitutional order' (RSA, 1997b).

The struggle for full citizenship with its objectives articulated in documents such as the ANC's Bill of Rights of 1923, Africans' Claims of 1943, the Congress of the People's Freedom Charter, the post-apartheid Constitution and its provision on housing, health care, food, water and social security was to achieve full citizenship with rights, not just to secure quality of life measured by the attainment of physical efficiency.

There is therefore, substantive contradictions and conceptual discord between South Africa's Constitution with the citizenship with rights and the physiological minima approaches that are predominant in the conceptualisation and definition of poverty in post-apartheid democratic South Africa. The commonly used definitions of poverty in the democratic South Africa, are, in their conceptual formulation, not 'post-apartheid'. This conclusion of the thesis is, from a social policy perspective, reached after elaborate investigation of discrimination (black disenfranchisement, land dispossession, the denial of industrial citizenship, influx control and the homeland system, bantu education and the racially discriminatory welfare system) in South African society at different political periods. As Alcock (1993: 3) observes, 'poverty is a contested political concept'. In South Africa, in both the segregation and apartheid eras the

understanding and definition of black poverty (not poverty in the white population) was at the very centre of racial discrimination through the denial of full citizenship using a plethora of laws and policies.

The contention advanced in the thesis is the following. From a social policy perspective, any valid conceptual approach that seeks to analyse and illuminate the issue of poverty in the post-apartheid society, should necessarily be located in the historical denial of citizenship. Further, any conceptual approach should encompass the full appreciation of policies, laws and practices that governed and restricted, access to and enjoyment of basic entitlements that are essential for an acceptable quality of life. In South Africa the presence of the type of Constitution the country has adopted reinforces this social policy perspective in a fundamental way. Therefore, it is not just only the South African Constitution that, in a very direct way, implores and guides researchers and analysts to use the notion of the citizenship with rights, it is also, if one was to speak outside of the Constitution, about bringing to bear in poverty analysis, the history of the struggle for full citizenship and the documents and statements that contain the purpose and objective of that struggle. The extensive poverty that characterises the post-apartheid society is commonly attributed to apartheid policy outcomes by nearly all poverty researchers and writers. However, the commonly adopted, poverty concepts and definitions are a continuation or reinforcement of apartheid era manifestly political approaches to poverty. As the authors of the *Poverty and Inequality Report* (RSA, 1998a) readily acknowledge:

> '… apartheid, and the legislation and institutions through which this ideology was implemented, operated to produce poverty and extreme inequality ... the major part of society is characterised by abject poverty, squalor, and minimal access to basic social and economic services.' (RSA, 1998a: 1-2)

Before departing from the central conclusion of the thesis to look at the related questions, it is worth noting how the South African Constitution came to be, through a consultative process. An 'Explanatory Memorandum' in the Constitution of the new society states that:

> '… the process of drafting the Constitution involved many South Africans in the largest public participation programme ever carried out in South Africa. After nearly two years of intensive consultations, political parties represented in the Constitutional Assembly negotiated the formulations contained in this text, which are an integration of ideas from ordinary citizens, civil society and political parties represented in and outside of the Constitutional Assembly. This Constitution therefore represents the collective wisdom of the South African people and has been arrived at by general agreement.' (RSA, 1996a)

On the question of policies, laws and practices that characterised the denial of full citizenship during the segregation and apartheid periods the discussion in the thesis settled on five themes, namely, black disenfranchisement, land dispossession, the denial of industrial citizenship through labour laws and the suppression of black worker organisations, enforcement of passes, influx control and the homeland system, bantu education and the creation of a racially discriminatory welfare system. These themes cover and demonstrate the intersection of different forms of discrimination in various spheres of the lives of black people. These themes, whilst not covering every facet of black lives, capture the pervasiveness, comprehensiveness and width of racial discrimination.

The selected themes represent the politics of segregation and apartheid, attendant in these periods was the racialised and politicised responses to poverty amongst blacks that characterised these periods. The understanding and definition of poverty that predominated during the segregation and apartheid periods centred on the view that the black worker and the white worker belonged to different social and economic worlds. The black worker, it was decided, did not deserve a civilised wage as his family was self-sufficient in the reserves

through subsistence farming. The adoption of the civilised labour policy and other policies aimed at uplifting the quality of life of the white population buttressed this race-based differentiation. The Carnegie Commission into the poor white problem was another testimony to the view and attitude to the poverty that affected black people during this period.

In the segregation period there are no concepts and official definitions of poverty that are used by the state or industries. The PDL pioneered by Edward Batson in the early 1940s existed outside of official policy and practice in the segregation era. This is the period when Batson is using the PDL to demonstrate that there are many South Africans living below this 'barest minimum'. It is in the apartheid era that the PDL is found to be attractive as it serves an ideological purpose and gets incepted into official practice by the state and is used by South African industries, with the support of the state through wage boards that fix the wages of only black workers. In this way the PDL, as a concept and definition of poverty, becomes a crucial policy tool in the politics of poverty definition in the apartheid era and the reinforcement of racial discrimination.

The thesis traced the historical origins of the post-apartheid citizenship with rights in South Africa to the struggle for full citizenship by blacks. The fight for the citizenship with rights is expressed in documents and statements such as the 1923 Bill of Rights, the 1943 Africans' Claims, the Freedom Charter and other key texts from the ANC in the last decade of the apartheid system. The fact that the citizenship with rights can be traced to political developments from the early part of the 20th century brings weight to the argument that the post-apartheid Constitution has to be at the centre of poverty concepts and definitions in the democratic era. These historical antecedents, combined with the values and provisions in the

South African Constitution and the social and economic rights carry important implications for poverty definition and measurement in the democratic era. The implication is that definitions of poverty that do not consider the Constitution, project from a conceptual platform that is at odds with the founding values and principles of the post-apartheid society. Such definitions go against the aspirations and vision created and committed to by the South African society.

In the post-apartheid democratic era the following poverty definitions and poverty lines are the most commonly used: the 'relative' poverty lines of 40th percentile of households ranked by adult equivalent expenditure and 50% of national per capita expenditure, minimum per capita caloric intake, the MLL and SLL set by the Bureau of Market Research, University of South Africa, the HSL set by the Institute for Planning Research, University of Port Elizabeth and the US$ 1 per capita per day 'international' poverty line. As discussed in Chapter 5 both the HSL and the MLL are derivatives of the PDL and became pre-eminent during the period of labour unrest in the early 1970s in the fixing of the wages of black workers and are now at the very centre of poverty concepts and definitions in the post-apartheid democratic era. There are variations of these poverty definitions and poverty lines but conceptually the basis is the definitions outlined above. These definitions of poverty are prevalent in studies, research and analyses of poverty and feature in government official policy documents. In many instances, especially after the adoption of the 1996 Constitution, official government documents formulate their understanding of poverty with reference to the Constitution. However, when poverty definitions and measures are referred to, it is apartheid era definitions that are used reflecting the conceptual discord and contradictions.

Beginning to emerge from the forest of physiological minima concepts and definitions of poverty is research, studies and analyses that consider poverty in a 'broader perspective than merely the extent of low income or low expenditure' (Statistics South Africa, 2000: 54). The growing research, studies and analyses do not necessarily operationalise the Constitution. In different ways, with different data and information as their sources for the analyses, the studies consider poverty as fundamentally multi-dimensional. Examples of these studies are few compared to the absolute, physical efficiency approach. Examples given in the thesis included: Statistics South Africa's (2000) experimentation with the Household Infrastructure Index (HII) and the Household Circumstances Index (HCI); Bhorat et al (2004) comparing progress between the 1996 and 2001 censuses; the South African government's *Ten Year Review* (RSA, 2003) that opted for 'composite indicators' in evaluating progress in various aspects of human development. Most important is the approach employed by Wright et al (2007) that constructed a list of possible necessities for full participation in South African society. In the period under analysis in the thesis this is the one study that resonates the most with the South African Constitution in both its approach and the actual possessions and activities brought up and mentioned by South Africans across the racial, income and geographic divides. The recently issued *Development Indicators – 2010* (RSA, 2010) brings together, this far, the most comprehensive and wide range of aspects of poverty that are central for social and economic inclusion and full citizenship as captured in the Bill of Rights in the Constitution.

In the milieu of concepts and definitions of poverty in the post-apartheid era across the studies, research and analyses from academics and researchers, research bodies, as well as government official policy documents, perhaps the most incisive observation and comment is the one that came from the Development Research Centre (DRC), a Non-Governmental Organisation involved in programmes which contribute to the creation of the conditions for effective social

action in South Africa (Hercules, 1988). Commenting on the *Key Indicators of Poverty in South Africa* (RSA, 1995a) study conducted by the World Bank, which as seen in the thesis has shaped what has become the conventional concepts and definitions of poverty in the post-apartheid democratic area, the following point is made:

> 'The Bank's report describes key indicators of income poverty from a quantitative rather than a qualitative perspective: the analysis is based on a household survey. The World Bank (1995) report has been criticised by the DRC (1997) who argued that (1) the report focused exclusively on income-poverty, (2) the arbitrary manner in which the income-poverty line was chosen for South Africa raises *the critical questions of who defines income-poverty* (own emphasis), and why, (3) the World Bank report concentrates on a description of income-poverty and its major characteristics, but does not analyse the causes or dynamics of poverty, nor make recommendations to address it.' (Hercules, 1988)

This point is at the heart of the politics of poverty definition in South Africa. The politics of poverty definition involve the different departments of government that unwittingly utilise apartheid era poverty definitions without a demonstration of the expected awareness of the origins and purpose of these poverty definitions. The authors of the *Poverty and Inequality Report* (RSA, 1998a) when it came to the definitions of poverty opted for what they considered to be 'easy', 'objective', 'conventional' and 'practicable'. The provisions of the Constitution were not considered. This is one example of many in which apartheid era poverty concepts and definitions entered the post-apartheid policy space and in the process earned tacit government endorsement. As the Minister of Welfare and Population Development asserted at the introduction of the Child Support Grant in 1998 arguing for the decision of her department, the monetary level of the grant 'will have to be linked to an *objective* measure' (own emphasis). We have a Minister of Government in the post-apartheid democratic era calling the HSL an objective measure. By inference, from this statement, the PDL (from which the HSL was derived) becomes an objective measure on which a government social grant aimed at addressing child poverty is linked.

From the arguments and discussion in the thesis it is evident that there is a strong conceptual discord and contradiction between the PDL-derived definitions of poverty and the notion of full citizenship with civil, political and social and economic rights in the Constitution. This reflects the inescapable link between the citizenship with rights and the politics of poverty definition in South Africa's post-apartheid democratic society.

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RSA (1979) Industrial Conciliation Act in 1979.

APPENDIX A:

SEMI-STRUCTURED IN-DEPTH INTERVIEWS

SCHEDULE

The AIM of the in-depth interviews is to investigate and establish policy makers' understanding and views on post-1994 CITIZENSHIP as contained in South Africa's constitution, DEFINITION OF POVERTY in post-1994 South Africa and the RELATIONSHIP BETWEEN THE TWO and implications for the definition and measurement of poverty in the South African context.

NOTES:

- **Primarily the thesis aims to explore the relationship between the notion of 'citizenship' and 'definition and measurement of poverty'.**
- **The interviews have to be structured and conducted with the research questions forming the background and framework. To gain 'deep' understanding of the issues raised it is important that key developments in writings and views on citizenship and poverty in South Africa are thoroughly understood.**
- **The interviews will be conducted as a discussion which seeks not only answers but underlying assumptions and rationale that inform current understanding of poverty as used in its definition and measurement in post-1994 South Africa.**
- **As these will be 'elite interviews' (with respondents having their own informed perspectives on the issues addressed) the outcome will largely depend on a thorough engagement with interviewees and a creative approach to the interview process.**
- **'Probing' and allowing the informant to 'direct' the interview yet ensuring answers to questions in the schedule.**
- **'Test run' of 5 interviews which will be transcribed and analysed to inform improvements should such a need arise.**

INTRODUCING THE STUDY

- **The interview as part of a doctoral research project.**
- **Interest in establishing understanding of citizenship and poverty in South Africa during the democratic period.**
- **Guarantee confidentiality. Information will be used only for the purpose of the study.**
- **Request permission to record interview.**
- **Do excuse me if some of the questions are simple, repetitive in a way and answers to them may seem obvious. I am seeking the rationale that inform our understanding of citizenship and poverty.**
- **Thank you for availing yourself for this interview.**
- **We shall be finished in about one and a half hours**
- **How do we arrive at those who are poor**

1. INTRODUCTORY QUESTIONS

'Breaking the ice'. These questions will be used to establish interviewee's general understanding of South Africa's transition and key aspects of this period.

Question 1.1

South Africa had its first inclusive democratic government in 1994. What do you see as the ***most important foundation*** on which South African society is built that is ***a departure from the apartheid system.***

Possible answers	Tick	Probe only if mentioned
Democracy		What are the important elements of South Africa's democracy?
Citizenship		What is the point of reference in understanding South Africa's citizenship?
Equality		What is meant by this?
End of racial discrimination		

Question 1.2

Let us look at South African society ten years ago. When the first democratic government was formed in 1994 what would you say were the key social problems that the democratic government was facing?

Possible answers	Tick	Probe only if mentioned
Housing		
Poverty		This challenge is commonly mentioned. What do you mean by poverty being one of key challenges?
Provision of services		What examples of services
Creating new laws, policies		Aimed at achieving what?

Question 1.3

It now is ten years since South Africa had its first democratic elections and a commitment by the government to address social problems. There are evident changes and improvements that have taken place. What would you say still remains a ***key and main social problem*** facing South African society. (*emphasise key problem or main social problem).*

Possible answers	Tick	Probe
Poverty		Why do think poverty is a problem?
Unemployment		What are the benefits of reducing unemployment?
Crime		

2. CITIZENSHIP AND THE SOUTH AFRICAN CONSTITUTION

Question 2.1

In your understanding when we say a person is a citizen in South Africa what does this mean?

Question 2.2

What do you understand to be the role and function of the constitution in South Africa?

Question 2.3

According to the South African constitution each and every member of South African society has a right to have access to adequate housing, health care services, sufficient food and water, social security and basic education. The constitution goes on to say that the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of each of these rights.

i. Do you think these rights (socio-economic rights as they are called) should have been enshrined in the constitution?
ii. What is the importance of these rights.
iii. Why do you think South Africa ended up with a constitution that provided for these rights?

Question 2.4

Are there any instances that you know of in which the state was found to be acting contrary to the stipulations of the constitution?

Question 2.5

South Africa, it has been observed by some writers, has the most liberal and advanced constitution in the modern world. Would you agree with such a statement?

Question 2.6

In your understanding which elements of the South African constitution make it unique?

Question 2.7

What do you understand to be the link and relationship between ***citizenship*** and ***rights***?

Question 2.8

The Constitution of the Republic of South Africa calls on the state to **respect, protect, promote and fulfill the civil rights** (equal protection and benefit of the law)**, political rights** (freedom to make political choices) **and socio-economic rights** (right to have access to adequate housing, health care services, sufficient food and water, social security and basic education) that are contained in the Bill of Rights. If we look at the past ten years, do you think that civil rights, political rights and socio-economic rights have received equal respect, protection, promotion and fulfillment by the state?

3. POVERTY

Question 3.1

What do you understand the term 'poverty' to mean in the South African context, i.e. in South Africa when we say a person, family or household is poor what do you understand this to mean?

Question 3.2

(a) Do you agree with the view that poverty, which is the state of being poor (or being without the things you mentioned) is an unacceptable condition in society?

(b) What in your view makes South African poverty particularly unacceptable?

Question 3.3

Many people have observed and mentioned that poverty is one of the key challenges and main social problem facing the government. In South Africa if we want to understand ***what we mean by the term poverty and arrive at an acceptable official definition*** what do you think should be the starting point or the first point of reference?

Question 3.4

Poverty has been studied, defined and measured in the post-1994 democratic period in South Africa. Some of the studies were commissioned by the state. We now have statistics indicating numbers of South Africans living in poverty. Are you familiar with any of the definitions and measurements of poverty that have been adopted to determine the extent of poverty in South Africa?

Question 3.5

(a) If poverty has been defined and measured in the post-1994 democratic era, what would you expect to be the process of arriving at such definitions and measures?

(b) During the apartheid era in South Africa poverty was studied, defined, measured and statistics indicating numbers of South Africans in poverty published. Do you think that the definitions and measurement of poverty during the apartheid era would have been agreed to by all social and race groups?

Question 3.6

Let us discuss the apartheid era and the democratic era in terms of poverty. During the apartheid era in South Africa poverty was studied, defined, measured and statistics indicating numbers of South Africans in poverty published. During the post-1994 democratic era poverty is studied, defined, measured and statistics indicating numbers of South Africans in poverty published. Do you expect the definition and measurement of poverty in the post-1994 democratic era to be the same as in the apartheid era or to have changed?

Why?

Question 3.7

Do you think in post-apartheid democratic South Africa where the aim is to create an inclusive society with the ideals enshrined in the constitution it is proper to use definitions and measurement of poverty created and constructed during the apartheid era?

(Probe. Why do you think so?)

4. CITIZENSHIP AND POVERTY – EXPLORING CONNECTIONS

Question 4.1

Do you think there is a connection between socio-economic rights as contained in South Africa's constitution and how poverty is understood and defined in South African society?

Question 4.2

What, if any, do you see as the connection between citizenship rights in South Africa and how poverty is defined?

Question 4.3

In the preamble of South Africa's constitution the people of South Africa, through their elected representatives, commit, among other things, to improve the quality of life of all citizens. What do you think this statement and commitment is directed at?

Question 4.4

Do you agree with the view that the South African constitution provides a starting point in the understanding and definition of poverty in the South African context?

Question 4.5

The goal of developmental social welfare is a humane, peaceful, just and caring society which will uphold welfare rights, facilitate the meeting of basic human needs, release people's creative energies, help them achieve their aspirations, build human capacity and self-reliance, and ***participate fully in all spheres of social, economic and political life.*** Do you think that members of South African society who cannot participate fully in all spheres of social, economic and political life can be seen as being in poverty?

APPENDIX B:

LIST OF KEY OPINION MAKERS AND POLICY MAKERS INTERVIEWED		
Name	**Position**	**Organisation**
Mr Vusi Madonsela	Director General	National Department of Social Development
Mr Sibonelo Khoza	Head	Community Law Centre, University of the Western Cape
Mr Philip Browne	Head of Programmes	United Nations Development Programme, South Africa
Mr Niel Coleman	COSATU Parliamentary Liason Officer and Head of Research	Congress of South African Trade Unions
Professor Leila Patel	Head of Centre for Social Development, former Director General of Social Development	Centre for Social Development, University of Johannesburg
Justice Yvonne Mokgoro	Justice of the Constitutional Court	Constitutional Court of South Africa
Justice Albie Sachs	Justice of the Constitutional Court	Constitutional Court of South Africa
Mr Jody Kollapen	Chair	South African Human Rights Commission
Mr Geoff Budlender	Defence Counsel in the Constitutional Court of the RSA, The Government of the Republic of South Africa (first appellant), and others versus Irene Grootboom and others, Case No. CCT 11/00, respondents heard on 11 May 2000, decided on 4 October 2000.	Legal expert on social and economic rights, former Director General of Department of Land Affairs
Mr Dudley Horner	Deputy Head	Southern Africa Labour and Development Research, and former member of Durban Students Wages Committees
Mr John Kruger	Chief Director – Social Sector Budgets	National Treasury, Government of South Africa
Mr Jacque van Zuydam	Chief Director	National Population Unit, National Department of Social Development
Professor Patrick Bond	Professor of Development Studies	Public Development Management, University of Witwatersrand
Dr Tim Hinks	Economist	Department of Economics, University of Witwatersrand
Dr Tsele	Secretary General	South African Council of Churches
Mr Vincent Williams	Head of Programme	Institute for a Democratic Alternative for South Africa and member of the Basic Income Grant Coalition
Mr Goolam Aboobaker	Chief Director: Economic Cluster	Policy Coordination and Advisory Services, Presidency, RSA

Dr Stephen Rule	Chief Researcher	Human Sciences Research Council and member of National Development Agency Board
Professor Chuenyane	Regional Manager	National Development Agency
Ms Lisa-Anne Julien	Head Researcher	Commission for Gender Equality
Dr Lulama Makhubela	Executive Director: Research	National Development Agency
Mr Mpho Mokhantso	Head of Research and Policy	Congress of South African Trade Unions, Head Office
Ms Pumi Yeni	National Convenor	Basic Income Grant Coalition
Professor Charles Simkins	Professor of Economics and Researcher on poverty	Department of Economics, University of Witwatersrand
Professor Adam Habib	Executive Director: Governance and Democracy	Human Sciences Research Council
Dr Bheki Langa	Head	National Institute for Economic Policy
Ms Kritzinger van Niekerk	Head of Policy	World Bank, South Africa
Dr Steven Friedman	Head	Centre for Policy Studies
Dr van Wyk	Head of Research	Gauteng Government, Department for Economic Development
Ms Leonie Caroline	Head of Programmes	Black Sash (Advocacy Group on social issues)
Mr Ravi Naidoo	Head	Naledi – Congress of South African Trade Unions Research Unit
Professor Murray Leibbrandt	Head and researcher on poverty	Southern Africa Labour and Development Research