# A Perspective on the Principle of Social Solidarity in South Africa

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*Abstract*

*The principle of social solidarity constitutes an indispensable phenomenon that is capable of providing long-term solutions to various socio-economic challenges faced largely by the indigent people in the society. This article explores the significance of social solidarity within the context of social protection, looking at its impact in mitigating the harmful effects of unemployment, poverty and inequalities that are widely experienced in South Africa. Adopting the qualitative method, the article is both exploratory and descriptive in form and uses primary and secondary sources as source material. It is asserted that social solidarity is a fundamental constitutional value that culminated in the inclusion of social security rights in the Constitution. It is through this principle that the value of ubuntu finds expression with ease. Undoubtedly, social solidarity plays an effective role in producing an appropriate social orientation of the society by stabilizing social welfare, an ideal which is necessary for sustainable development.*

*Keywords: social solidarity, ubuntu, social security, poverty & inequalities, transformation.*

## 1. Introduction

The principle of social solidarity is a multifaceted notion which invariably permeates various aspects in broader societal human interfaces. It ought to be recognized as a theory that is inadvertently inherent in the being of human species, without which the society would essentially lack proper orientation. For decades, this principle has found its relevance in political and sociological scholarships (Williams, 2009), and has since crept into the legal scholarship arena. It is for this reason that extensive discussions on issues of social justice, peace, development and social welfare find legitimacy, and are worth given attention. This subsequently culminates in law being called upon to be responsive in meeting the common societal goals and expectations. This is broadly premised on the solidarity principle. Therefore, this entails that the international community and national legislatures ought to be considerate of various societal interests and embrace social solidarity when executing their legislative functions. This is particularly significant in the sustenance of stability and sound social welfare of the people.

Thus, the Constitution of the Republic of South Africa, 1996 (*'hereinafter referred to as the Constitution')* has been lauded as an imprint appropriately invented to also advance social solidarity through its transformative agenda (Mattes, 2012; Christiansen, 2010; Christiansen, 2008; Klare, 1998). The Constitution is being revered as a liberal egalitarian and comprehensive human rights friendly text across the African continent and beyond (Reddy and Sokomani, 2008; Kende, 2003). In the main, it is revered for obligating the state in particular, and private actors towards upholding and advocating such principles as (social) solidarity amongst others. It does this by both expressly and impliedly propagating for the creation of a nation where peace, social justice, fundamental freedoms and respect for human rights, human dignity in particular, are focal points in nation building. Within this context, this Constitution is a progressive instrument that can be utilized in advancing agendas that aid every aspect of social cohesion in the country. The core objectives of social solidarity are structured in accordance with the constitutionally entrenched values. This takes into consideration the Constitution's transformative vision of normalizing the society. The idea encompasses the entire setting of burying all the wounds of the past to build one unified nation (Langa, 2006), whose people are mutually caring and interdependent. As a beacon of hope, this Constitution make a provision for social security in section 27(1)(c), and also obligates the state to ensure a comprehensive realization of all rights in the Bill of Rights. This is explicitly in furtherance of the notion of social solidarity within the context of subsidizing indigent people's needs through state funded initiatives. Of importance in this regard is to establish what dimensions the notion of social solidarity has in the structural and social organization of the society. It is also fundamental to link discussions with the noble global agendas such as that regarding the attainment of

aspects of Millennium Development Goals (MDGs) and the crucial role that this principle plays in that regard. This is specifically with reference to MDG-1 geared towards eradicating poverty.

Indubitably, the notion of social solidarity is an essential constituent of a democratic setting that is premised on upholding and reinforcing social values, principles of humanity and humanitarian action (Frye, 2008; Slim, 1997). It is a significant principle that aids the state and its people in resolving societal challenges standing in the way of social welfare of the people. Thus, the solidarity principle is in the main, much related with social and economic circumstances that the indigent people face on a daily basis. This includes aspects of poverty, unemployment, crime, fraud and corruption, diseases, societal literacy/illiteracy and politics. It is these prime factors that influence our attitude, relations and development in the country. The principle of social solidarity often finds expressions in various approaches of various disciplines. For purposes of this article, attention is given to the legal and social context of solidarity principle. This regards both the legal and policy initiatives, and responses in dealing with issues of social relations and underlying social circumstances in the society.

This article addresses a rather often neglected area which is inherently significant in constructing and shaping international, regional and national relations that are essential for safeguarding human value and sustainable development. This solidarity principle is crucial for co-operations of all kinds. I begin by extrapolating on the theoretical framework and developments of the concept. This is followed by discussions on the meaning and context of solidarity principle. Issues of humanity and challenges that threaten the livelihood of social solidarity in the society will also be considered. Lest the notions of solidarity and social solidarity are used interchangeably or inferred, context shall bear one meaning for purposes of this article.

## 2. Methodology

This article adopts a qualitative method of research. It is descriptive and exploratory in nature with the aim to inspire change in societal attitude towards social norms and values that regulate human interaction on a daily basis. The aspects of analysis in this article are focused on studying the characterization of the social solidarity principle and its impact in shaping South Africa's societal social relations, and in dealing with the challenges thereto. The article adopted content analysis approach relying on data from written texts. Content analysis is the most appropriate method as it assists in determining the legislative and policy positions with regards to the principle of social solidarity. This is essential in extrapolating societal attitude towards solidarity principle and its sustenance thereto. This article employs four concepts in studying the principle of social solidarity, namely; *transformation, law, Ubuntu and social security.* The article used both primary and secondary sources as source material.

## 3. Literature Review

The notion of social solidarity ought to be recognized as a fundamental facet which is central to the pursuit of sustainable social cohesion in South Africa. It is an indispensable phenomenon that can aid the country in bridging the ever spiraling gap between the rich (elite) and the poor people in majority. It is worth noting that various perspectives on this subject adopt different methods in dealing with aspects that foster its continued existence. For instance, social solidarity could be subject to dialogue using perspectives in respect of matters of public health, education, housing, safety and security and other areas. In a nutshell, it is focused on ensuring social security on the majority of the indigent people. It is premised on helping those that are not able to help themselves owing to their vulnerable socio-economic circumstances. Then, a question of how we put the principle to application reigns supreme, hence this article. Unwittingly, South Africa's past (case) has been and continues to influence developments including in areas of legal, political and sociological studies.

Indeed, it is such a case which presents social solidarity principle as a phenomenon broadly linked with transforming a social security system to effectively render it responsive to the needs of the populace (Klinck, 2001). This is arguably the core of solidarity in our terms. Its significance is of such a magnitude that it aids in advocating for human rights protection as an agenda carrying a means to greater social ends (Forsythe, 2012). It is informed by the historic patterns of exclusions and marginalization inherited from the past. Consequently, the period post 1994 has seen various transformative projects designed in accordance with the Constitution's fundamental values. For purposes of this article, reference is made to the notion of 'transformation' in respect of social security system.

According to Klinck (2001), a continuous transformative mechanism had to be sought in re-shaping the social security system. Klinck rightfully asserts that this process of transformation intrinsically linked with issues of historical, economical and social processes, with notions of democratization and social-integration also inevitably featuring. In a nutshell, this entails that the democratic dispensation has had to appreciate the pervasive material disadvantage the

majority of the people suffered in the past. Within the same context, it had to go beyond in order to resonate concurrence with the founding values of the Constitution. That is, equality before the law, societal re-integration and development had to be central to the process of transforming the system. This raises a fundamental question as to, what needed to be transformed and why? This question is answered with reference to the motive forces that informed the need for a change. Essentially, transformation had to occur to effectively broaden access to social security and subvert the extent of pervasive abject poverty. This was accompanied by the need to address the country's human and economic development. Within the context of transformation, we have seen a sterling achievement of securing a constitutional safeguard of social security rights. This culminated in the welfare system redesigned in accordance with the Reconstruction and Development Programme (RDP, 1995), an ideal which reinforced the social position with regards to propagating social solidarity (Patel, 2005). According to Patel (2011), South Africa's transformative social protection system has played a fundamental role in shaping the society as it augmented social initiatives of redressing the imbalances of the past. This view is also shared by Zanker, Morgan and Meth (2011), acclaiming that the reformed system became a machinery that has significantly extended social protection, particularly targeting the most indigent sects of the society. It is asserted that this has also aided the re-configuring of the solidarity principle. With this said, it is explicit that the role of transformative tenet has been crucial. However, it is important not to delimit transformation only in terms system outlook. There is also an indispensable social construction side of it. This entails that the populace themselves need to similarly go through certain extent of transformation. This is with regards to an essential 'psychological transformation', without which social solidarity would crumble. The society must be re-positioned to accept change and new philosophical model to interdependence.

The other critical aspect in the study of social solidarity is on aspects of socio-economic rights. This coincides with the issue of founding legal framework that would augment the realization of solidarity expansively. In this regard, it entails that we ought to invent the meaningful impact of the law in shaping social solidarity. This is necessary because various sectors of the society are largely organized according to solidarity principle, which should fundamentally find explicit expression at law (McLeod, 2005). The Constitution invented a solidarity tone in its preamble. It prompts people about the past, and yet provokes thorough thoughts and determination about moving the country forward in a mutually caring egalitarian way. It is this phenomenon that gave birth to cohesive solidarity. The resultant thereto would be the notable constitutional socio-economic aspects that include the right to healthcare services, social security, the right to education and the right to housing amongst others. According to Harris *et al*, (2011), social solidarity constitutes an important foundation of equitable health care systems where cross-subsidy happens between the rich and the poor. This is a well epitomized attempt to help the indigent people realize their right to healthcare. This finds proponent from the constitutional provision with regards to the right to equality that seek to ensure equal access to healthcare services. Similarly, this approach is adopted when it comes to people's right to access to (basic) education, food, water and other social services. This is indeed, the essence of social solidarity, being to protect the poorest and the most vulnerable social groups in the society (Harris *et al*, 2011). The need to improve health services culminated in the introduction of the National Health Insurance (NHI, Strategic Plan 2010/11 – 2012/13), a health insurance initiative geared towards ensuring that everyone has access to high quality medical care and services nationwide.

Notably, deliberations around social solidarity would be imperfect lest the notion of *Ubuntu* is not considered. According to Mokgoro (1998), *Ubuntu* is a broadly considered philosophy of life. Because it is recognized as being part of the deep cultural heritage amongst the population (Gade, 2012), it is crucial to study its interrelatedness with the principle of social solidarity. This is an essential doctrine which works effectively in promoting the goodness of a community to cater for the long-term benefits of its people (Sigger, Polak and Pennink, 2010). According to Nussbaum (2003), *Ubuntu* is such a 'value' which plays a fundamental role in the world consciousness. Generally, scholars reflecting on the notion of *Ubuntu* generally depict a strong sense of agreement that this notion is capable of enhancing a distinguished kind of renaissance in any society. Further that it assists greatly in shaping human relations to reinforce mutual interdependence. Therefore, *Ubuntu* and the principle of social solidarity are fundamental concepts that assist in re-configuring society.

## 4. The Context of Social Solidarity and Causal Link with Social Protection

South Africa's social solidarity is comprehensible when presented in the form of state social protection initiatives. The existing social protection is premised on the old British tradition of means-tested social benefits provided to the indigent members of the society (Olivier and Kalula, 2004). The understanding is that indigent populace cannot be expected to finance their own assistance, which means that the entire base of taxpayers ought to pay and that is what constitutes solidarity in social security terms (Fisher, 2003). Thus, its expansion for people's social welfare was legitimized on human style of collective solidarity and communality (Tshoose, 2009), where human compassion supersedes individual egoism.

It is defined as a wide variety of public and private measures that provide cash or in-kind benefits or both first, in the event of an individual's earning power permanently ceasing, being interrupted, never developing, or being exercised only at unacceptable social cost and such person being unable to avoid poverty and secondly, in order to maintain children (Strydom, 2001; Dept. of Social Welfare, 1997). In the main, this social welfare system is founded on constitutional imperatives that seek to advance the transformative agenda of the Constitution. In general, the central objective being to foster a society where there is social justice, respect for fundamental rights and human dignity, and in particular, an improved quality of life for those that lack the means of survival. South Africa provides social protection in the form of non-contributory social assistance and contributory social insurance both of which encompasses the state's welfare obligations in terms of social and sustainable development.

### 4.1 Social assistance

This is targeted at the poor or those vulnerable to poverty, as a means to fill the void where households either failed or were unable to manage their own risk through private or public schemes (Pauw & Mncube, 2007). The notable pillars of social assistance are social old age grants, disability grants, child support & foster care grants, war veterans' grants, and care in dependency grants, all of which are means tested to ensure reach by the poorest (Van der Berg, 1997). Thus far, social assistance is acknowledged to have been a major impact amongst the poverty alleviation programmes. South Africa is known to have the biggest social assistance scheme (Frye, 2008). Recent reports revealed that beneficiaries grew up to 16 million people (Treasury Budget Review, 2013).

### 4.2 Social insurance

This is a contributory social protection scheme also known as occupational insurance. It mostly caters for persons with a means of income, usually financed through the joint contributions by both the employer and employee in which case the insurance is provided in respect of unemployment, occupational injuries and diseases. However, its contemporary meaning is subject to adjustment subsequent to the introduction of the NHI which is state funded, and meant particularly to ensure quality health care to everyone, especially the indigent people. The state's involvement in social insurance further occurs with schemes such as the Road Accident Fund (RAF) and Unemployment Insurance Fund (UIF). RAF's primary function is to compensate the victims or their dependants, of motor vehicle accidents (MVAs) that occur on South Africa's national roads. UIF is aimed at paying unemployment benefits to employees or their beneficiaries lest they become unemployed or unable to continue work, mainly to alleviate harmful economic and social effects of unemployment (Unemployment Insurance Amendment Act, No. 32 of 2003).

## 5. Challenges Facing Social Solidarity

This section presents findings on critical aspects that notably constitute threats to the livelihood of social solidarity. On the 27th April 2014, South Africa officially marked and celebrated 20 years of democracy. Of course, the on-going celebrations reverberates a landmark triumph over an unjust legal system two decades ago. While constitutional democracy bred transformation in moving the country forward, the principle of social solidarity is inherently faced with critical challenges that very much threaten its endurance. These challenges are a hybrid of phenomena experienced widely in public and private relations by all people. On the whole, the challenges are interrelated in form. These are factors that have a propensity to cripple a progressive realisation of social solidarity, even piloting its diminishing.

### 5.1 Socio-economic issues: unemployment, poverty and inequalities

Considerate of the inevitable impact of the legacy of inequalities inherited from the past, the principle of social solidarity carried a task of transforming the social and economic conditions of the majority of the people. It has had to assist in addressing these modern triple-challenges facing the society. Thus, it is significant to be mindful of solidarity's central objective of eliminating abject poverty and inequalities in the society. These challenges are so intrinsic that they largely determine the extent to which a person can access quality education, health, justice, and life in general. Hence, they are critical developmental issues. Within the same context, issues of population and economic growth are significant features. During the years between 1995 and 2011, the population grew by 27.5% (Monnana, 2014; Statistics South Africa, 2012), whereas economic growth has been at an average annual snail-pace of 3.2%, hence the persistent high unemployment rate. Thus, the critical question is, how social solidarity performs in the midst of such critical socio-economic

circumstances and whether any crisis averting action prevails?

A miserable reality is that South Africa is presently plagued by an endemic high unemployment rate, with youth being the hardest hit. The official unemployment rate is currently at 24.1% while the expanded unemployment rate is at 34.9% (Statistics South Africa, 2014). The crisis of unemployment tends to exacerbates poverty and inequalities. Unquestionably, poverty remains unacceptably high in the country (Frye, 2013) and so have triumphed inequalities (Mattes, 2012; Appolis and McKinley, 2009). Since 1994, the living conditions of the majority of the people have not substantively changed. Approximately, 16 million people now depend on social grants and many other people live in slums under appalling conditions. We can expect this numbers to continue escalating considering the stagnant economic growth and expanding unemployment levels. While social grants do assist in mitigating poverty, the grants do not uproot it nor do they offer any alternative or permanent progressive solution thereto. Because these social grants are largely funded from tax contributions of the registered tax payers and other forms of public revenue, their sustainability is a major concern, necessitated by the declining employment opportunities. Thus, the scourge of unemployment and the ever spiralling disparities of wealth between the-rich and the-poor are major threats to social solidarity. If left unresolved, these challenges have a potential to breed an undesirable insurgence of a particular kind.

### 5.2    Politics and the independence of Courts and Chapter 9 institutions

Invariably, courts and chapter 9 institutions play an essential role in safeguarding social solidarity and *Ubuntu*. This is even reflected in the many judgments dealing with socio-economic rights amongst others (*S v Makwanyane* 1995 (3) SA 391 (CC): 224, 308; *The Government of the Republic of South Africa v Grootboom* 2000 (11) BCLR 1169 (CC): 23; *Soobramoney v Minister of Health (Kwazulu-Natal)*1998 (1) SA 765 (CC); 1997 (12) BCLR 1696; *Poverty Alleviation Network v President of the Republic of South Africa* (2010) 6 BCLR 520 (CC). The recent developments reveal that the attitude of the executive authority towards these institutions has largely been a negating controversy. In the main, this threatens the livelihood of the independence of judiciary and chapter 9 institutions, which is inherently essential in safeguarding social solidarity. In many instances, the politicians ironically incite the public to lose confidence in these custodians of the Constitution.

Chapter 9 institutions, particularly the Public Protector has suffered the most. In most instances, her recommendations with regards to remedial action least get implemented, resulting in perpetrators escaping with impunity. The fundamental question to ask is, what has actually been the cause of contemptuousness towards Courts and Chapter 9 institutions? In response, it is asserted that politics became a career higher than all others. Even the academics and other professionals are less regarded when compared to politicians. Politicians seek reverence and this informs the ever spiralling political *careerism of egoism*, which occurs at the expense of social solidarity and results in spiralling inequalities. Thus, it is indispensable to enable courts and other public institutions to continue executing their functions that safeguards solidarity and *Ubuntu.*

### 5.3    Corruption and fraud

South Africa is amongst the countries where corruption has become a persistently heard phenomenon. Its presence threatens the gains of South Africa's transformative constitutionalism and sustainable development. Advances in social solidarity also suffer immensely because very often than not, corruption derails resources meant for citizenry and social welfare benefit. The most notable forms of corruption include the noted tender system and BEE fronting, where resources that could have been utilized largely for public good are re-directed for individual benefits. There is also a widespread problem of *ghost* claimants where people continue to claim social grants on names of deceased or somehow ineligible people for instance (Reddy and Sokomani, 2008). During 2012, Transparency International Corruption Perceptions Index ranked South Africa number 69th out of 176 countries in terms of levels of corruption in general. This however is an indication that the levels of corruption have not yet reached the endemic levels in the country from an international perspective. Nevertheless, it is foreseeable that lest not acted upon firmly, the scourge has a potential to impede the desired development in the country. Indeed, it remains among the biggest problems hindering major progress on social solidarity.

### 5.4    VIPsm theory

Thus far, limited studies have been conducted on this issue, yet it is very predominant in South Africa, a fragile democratic setting as it presently is. This theory is centred on categorizing human beings. It recognizes other people as

'*Very Important Persons*', bearing an implicit depiction that other ordinary members of society are less important. This theory has crept into daily human experiences, social and political relations in South Africa. It derives its strength from high levels of poverty and inequalities. Ironically, it is somewhat celebrated by its beneficiaries, those treated as *VIPs*. Its presence thrives against the ideals of social solidarity premised on inculcating a society where all people are treated equally with regards to access to justice, protection of human dignity and so forth. Subsequently, many people living in slums, townships and villages are inevitably treated differently from others (politicians). Inherently, human successes under such circumstances get skewed in favour of the connected few elite and those who wield political power. Such trends are harmful as they compromise efforts of eliminating inequalities and this leads to disillusionment and eventual insurgence in any country of huge social discrepancies. Under such circumstances, social solidarity suffocates owing class categorization of people.

### 5.5    Societal illiteracy and indifference

While widely celebrated, democratic dispensation is also such a dynamic conceptualization which to a large extent carries with it, certain kinds of societal obligations. It requires some sense of consciousness among a populace. Though, no scientific research prevails, it is my observation that the South African society is least conscious with regards to the relations between system of governance, politics and constitutional education in general. Notably, this is most prevalent in rural areas. The relationship between this phenomenon and those identified above is so inherent that education and economic status play a major role. Thus, the majority of the people in rural areas become vulnerable due to lack of knowledge, understanding and sometimes indifference on matters of national importance. In many instances, this serves the purpose of egocentric politicians who exploits vulnerability at the expense of nation building. This is seen mostly during elections where vulnerable people are used to attract unconscious votes to retain political power. Invariably, this compounds the fall of social solidarity and the notion of *Ubuntu* because humans are reduced to a commodity for temporary gains and thereafter forgotten. Hence, the need to propagate for a broader societal education and participation on issues of governance, politics and many other challenges.

### 6.    Calibrating the Principles of Social Solidarity and *Ubuntu* as Societal Panaceas

The historic role of the Truth and Reconciliation Commission in advancing social solidarity cannot be understated. Indeed, the TRC has played an integral function in founding widely accepted values that transcended egoism in favour of social solidarity. However, the second decade of democratic dispensation continues to see the noble works of the TRC suffering major setbacks. Indeed, the unity and reconciliation agendas are at high risk of dwindling. This bears unbearable consequences on social solidarity necessarily because social solidarity becomes unrealizable in the midst of strife, conflicts and spiraling inequalities. Amongst the major contributing factors in this regard have notably been the fading strengths in people's solidarity and *Ubuntu* towards each other. Without a doubt, the society ought to establish workable methods of re-configuring its identity, an ideal contrivance that can best serve the process of interdependence and sustainable development. The fundamental question remains; how can we utilize the principles of social solidarity and *Ubuntu* in resolving and reshaping society.

It is asserted that a comprehensive realization of effective social solidarity is contingent on both individual and collective determination to rid the societal challenges that have a potential to stifle its sustenance. Individual determination derives from a perspective of self-conscience that progressively dissuades persons from doing wrong, whereas collective determination stems from a psychology of common societal identity and a resolve towards caring, interdependence and doing things right. It is worth noting that the principles of social solidarity and *Ubuntu* manifest with elements of resemblance. At times, they may perhaps be used interchangeably. Most importantly though, is that this has to be dependent on the context of such usage and the targeted goal thereto. Tshoose, (2009) refer to these notions as 'parallels'. They embody compassion that is premised on a much more humane world (Sachs, 2012; Bennet, 2011; Tutu, 1999, Kamwangamalu, 1999, Mokgoro, 1998) to inculcate interdependence in human philosophy. Nonetheless, there remains a justification for the need to demystify the potential misconceptions that may result from misinterpretations of these notions. Even so, it is indubitable that the two notions remain significant in shaping the society. Social solidarity is a concept premised on helping the underprivileged people to sustain a dignified life. Its extensive metaphoric representation includes amongst others, unity, interdependence and care, without which it will crumble. *Ubuntu* on the other hand constitutes an essential societal tenet for social order and stability. It is a philosophy premised on propagating humanness, compassion, respect and group solidarity among the human race. It is discernible that social solidarity is an important constituent of the notion of *Ubuntu.* This entails that any society which embraces *Ubuntu* as a societal guideline

will have no difficulty in having social solidarity thriving. Indubitably, the two notions are precepts that hold keys to finding solutions to common societal crises.

## 7. Conclusion

This article revealed that the principle of social solidarity constitutes a perfect architect towards ensuring a peaceful, harmonious, just and free society. Together with the notion of *Ubuntu,* they are an indispensable panacea that can contribute immensely in perfecting societal human relations even in the midst of diversity. The article has also illustrated that social solidarity together with its parallel, *Ubuntu,* are under invariable threat. The observation is that social solidarity and *Ubuntu* presently operate without a known tangible philosophy. Instead, they have been thriving on underpinnings that govern generic social relations. Thus, it is asserted that there is an urgent need for a new social construction of a theory or philosophy that will assist in transforming people's attitude towards each other and their world. How can this be achieved? First and foremost, we ought to accept that naturally we were born different and are equally bound to reach varying successes. This is in accordance with nature-nurture debate that recognizes that environments, circumstances and habits play a role in shaping human kind and its developments. Therefore, a predominant element in our appreciating differentiations should be that of '*a mutual compassion*', that reinforce the efforts to see the necessity to help and safe each other.

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