Traditional and contemporary social assistance measures in South Africa: A historical perspective[*]

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1 Introduction

In South Africa, social assistance is provided for both in the Constitution and in the legislation. Section 27 of the Constitution provides that everyone has the right to have access to: health care services,[1] sufficient food and water[2] and social security, including appropriate social assistance if they are unable to support themselves and their dependants.[3] Section 27(2) further provides that the state has a duty to take reasonable legislative and other measures within available resources to achieve the progressive realisation of each of the rights set out in section 27(1).

While the Constitution does not define social assistance, the Social Assistance Act[4] does provide a narrow definition of what social assistance is. It defines social assistance as 'a social grant including social relief of distress'.[5] Therefore, in terms of the legislation, social assistance is limited to a monetary grant.[6] The Taylor Committee adopted a similar viewpoint in defining social assistance. It defines social assistance as 'state provided basic minimum protection to relieve poverty, essentially subject to qualifying criteria on a non-contributory basis'.[7]

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[1]Section 27(1)(a).
[2]*Id* 27(1)(b).
[3]*Id* 27(1)(c).
[4]Social Assistance Act 13 of 2004.
[5]Section 1.
[6]Section 1 of the Social Assistance Act defines a social grant as a child support grant, a care dependency grant, a foster child grant, a disability grant, an older person's grant, a war veteran's grant and a grant-in-aid.
[7]Taylor Commission'Transforming the present – protecting the future: Report of the Committee of Inquiry into a comprehensive system of social security for South Africa' (2002) available at http://www.polity.org.za/govdocs/reports/welfare/findoc/chapter2.pdf (accessed 2010-06-10).

South African scholars like Olivier and Kalula[8] explain social assistance in broader terms. They categorise social assistance in terms of the provision of various kinds of social services as well as the payment of social grants. According to Olivier and Kalula, social assistance entails more than providing a social grant. Social assistance includes rendering a service or services for the purposes of reducing and eventually eradicating poverty.

International instruments generally do not distinguish between social assistance and social security. They refer to the broad concept of 'social security' which encompasses, among other things, social compensation, income distribution and social assistance.[9] The United Nations Convention on the Rights of the Child provides for the right to social security in an event of lack of resources.[10] So does the United Nations International Covenant on Economic, Social and Cultural Rights[11] and the African Charter on the Rights and Welfare of the Child.[12] In all the said legal instruments, the clauses on social security do not explicitly prescribe the rights that ought to be promoted through social security. However, since the jurisprudence on socio-economic rights emphasises the view that socio-economic rights are interrelated, interdependent and indivisible,[13] it can also be safely said that through social assistance, beneficiaries should be able to enjoy access to socio-economic rights in general. Therefore, social assistance aims at lifting the poor out of poverty by realising their socio-economic rights. Social assistance is an anti-poverty strategy which entails not only a monetary grant which is a gateway to the minimum standard of living, but also substantial rehabilitation of the poor, through the realisation of socio-economic rights in general.[14]

For the purposes of this discussion, I adopted the broader view of social assistance. This paper provides a historical analysis of traditional and contemporary social assistance measures employed in South Africa, from the pre-colonial era until the present era. Firstly, it provides insight into how poverty and social assistance were and are perceived. Secondly, it gives an analysis of

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[8] Olivier and Kalula 'Scope and coverage' in Olivier, Smit and Kalula (eds) *Social security: A legal analysis* (2003) 143.See also Nkosi 'An analysis of the South African social assistance system as it applies to children in rural communities: A perspective from the *Grootboom* case' (2011) 26 *SAPL* 84.
[9] International instruments refer to social security and social assistance interchangeably.
[10] Article 26. The Convention on the Rights of a Child was ratified in 1995.
[11] Article 9. The South African government has approved that South Africa ratify the International Covenant on Economic, Social and Cultural Rights. See http://www.communitylawcentre.org.za (accessed 2013-07-13).
[12] Article 20(2)(a). The African Charter on the Rights and Welfare of the Child was ratified in 2002.
[13] The Committee on Economic, Social and Cultural Rights available at http://www.ohchr.org /Documents/Publications/FactSheet16rev.1en.pdf (accessed 2012-11-13); See also Grant 'Accountability for human rights abuses: Taking the universality, indivisibility, interdependence and interrelatedness of human rights seriously' (2007) 32 *SAYIL* 166-171.
[14] The Committee on Economic, Social and Cultural Rights http://www.ohchr.org/Documents /Publications/FactSheet16rev.1en.pdf (accessed 2012-11-13). See also Grant (n 13) 166-171.

social assistance by making a distinction between traditional and contemporary social assistance measures. Thirdly, it gauges the impact of the said social assistance measures and finally, draws some conclusions.

2   Social assistance in the pre-colonial era

The pre-colonial era is used in a very broad sense and denotes a time before the indigenous African culture came into contact with, and was influenced by, 'Western' cultures.

The traditional approach of indigenous African people to poverty is embedded on the principle of solidarity and the manner in which indigenous African communities are organised. Families, led by family heads, formed a community which was under the authority of a traditional leader.[15] Further, indigenous African people are group-oriented,[16] which means that their livelihoods are informed by the principle of collective solidarity. They function as a unit. During times of hardship, this unit serves as a source of solace. The phenomenon of attending to the needs of others during times of hardship is a fundamental ethic to indigenous African people. This phenomenon is based on the African proverb that says: '*umuntu ngumuntu ngabantu'*.[17] This idiom encapsulates the essence of, and is rooted in, the concept of *ubuntu*. *Ubuntu* can be explained as caring, compassion and sharing what you have.[18] Thus, responsibilities were shared, ceremonies were conducted together and the people assisted each other during times of need. In Soga's words: 'they provided for each other's needs, assisted each other and cared for the widows and the poor'.[19]

The indigenous communities relied on hunting, agricultural produce and large herds of livestock were kept for food.[20] Although the indigenous African people were dependant on land for shelter and agricultural use, the individuals within a community did not own the land. Land belonged to the community, under the administration of a traditional leader.[21] Their agricultural produce included sorghum, pumpkins, melons, calabashes, beans, coco yams and groundnuts.[22] The Khoi people, who are also of indigenous African descent, were different from the other indigenous groups in that they did not grow any agricultural produce. They gathered wild fruit and other edible plants to supplement their diet.[23]

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[15]Tsotsi *From chattel to wage slavery: A new approach to South African history* (2000) 12.
[16]Van Niekerk *The interaction of indigenous law and western law in South Africa: A historical and comparative perspective* (LLD thesis University of South Africa (Pretoria)) (1995) 37.
[17]The literal English translation of this idiom is: 'People are dependent on each other'.
[18]Mnyongani 'De-linking ubuntu: Towards a unique South African jurisprudence' (2010) 31 *Obiter* 136.
[19]Author's own translation. Soga *Intlalo kaXhosa* (1979) 104.
[20]Tsotsi (n 15) 12.
[21]Van Niekerk (n 16) 38.
[22]Tsotsi (n 15) 12.
[23]*Id* 11.

Unlike today where poverty is generally defined in terms of the economic context, the indigenous African traditional system was different. Poverty was viewed as a need, a need that went beyond an economic necessity. Economic poverty was caused, among others by droughts, deprivation of farming land and an incapacity to work due to bodily weakness, all of which could prevent a person from sustaining his family.[24]

The shared activities and labour of the communities, where females were responsible for ploughing the fields and males were responsible for herding the livestock made it easy to identify those in need. As women assisted each other in ploughing and harvesting each other's fields,[25] any shortage in the harvest experienced by one of them or an inability of one of them to work in the fields due to illness, for example, was everyone's concern. This then prompted the women to assist a neighbour in need. During times of drought, communities relied on grain kept in storage pits for that purpose,[26] and sometimes, they even migrated in search of more fertile or watered land.[27]

When a family slaughtered an animal, neighbours were invited to partake of the slaughtered beast.[28] In explaining this kind of an invitation to the neighbours, Soga says: 'African people are not the kind to eat by themselves while others are watching'.[29]

Other forms of poverty were, for instance, childlessness and isolation from the community.[30] Unlike the modern notion which promotes procreation on the basis of availability of resources, in the traditional African viewpoint, procreation was associated with abundance. Phatlane contends that without social assistance coverage, giving birth to more children provided security to families.[31] Children played a major role in the running of the household. Boys, in particular, were responsible for herding cattle. Girls took part in the execution of various household chores. When children became adults, they, in turn, took care of their families and communities.[32] Although the modern-day State makes provision for old-age grants which aim at providing some relief in respect of economic contingencies for the elderly, this provision does not supersede the traditional system of taking care of

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[24] Kimilike *An African perspective on poverty proverbs in the Book of Proverbs: An analysis for transformational possibilities* (Doctoral thesis University of South Africa (Pretoria)) (2006) 84-86.
[25] Stein *Majola: A Zulu boy* (1969) 33. See also Tedder *The people of a thousand hills* (1968) 10.
[26] Tedder (n 25) 2.
[27] Zondi *Izingwazi zase-Afrika: Umqulu1* (1996)11.
[28] Author's own translation. Soga (n 19) 105.
[29] *Id* 104.
[30] Kimilike (n 24) 84-85.
[31] Phatlane *Poverty, health and disease in the era of high Apartheid: South Africa, 1948-1976* (D Litt et Phil thesis University of South Africa (Pretoria)) (2006) 134.
[32] *Ibid*.

the elderly.[33] Traditional care structures still demand some form of involvement from family and community members.

Another interesting viewpoint raised by a certain poor rural community when urged by family planners to curb the rate of reproduction in order to improve their economic situation was that '…once they are better off, then they'll reduce the size of their families' (Beckett).[34]

The traditional African position in relation to procreation is also evident in the *isiZulu* saying that '*Ungizalile, ungenze umuntu*' which means that 'the one who acts in a saving manner recreates, brings to life, gives birth to and makes human beings out of those whom he/she helps'.

A child was usually handed over to the childless family and the latter family would receive the child as its own. Families involved in the handing over of the child were required to notify the traditional leader. This ceremony was concluded with a celebration.[35]

As stated earlier, among the indigenous African people, children symbolise security. Communities and families devoted valuable resources to raising children. Raising children was a group's responsibility. Family members and the community at large were actively involved in caring for children, including those who were orphans.[36] Their commitment to the role of caring for these children, in many ways resembled the one that is assumed by a parent when caring for his or her children.[37]

Various family structures within which alternative care for children was provided can be identified. Examples of family structures which provide alternative care for children included that of aunts and uncles, grandparents and siblings.[38] This type of family care structure comes into being when siblings, particularly brothers, live together under the headship of a senior brother. Usually one of the brothers is a minor, or at least unmarried at the time of the death of his parents, and is thus dependent upon his older brother.[39]

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[33] International Human Rights Clinic 'Protection of the elderly model law' http://social.un.org/ageing-working-group/documents/fourth/JohnHopkinsUnivModelLaw.pdf (accessed 2013-11-08).

[34] Phatlane (n 31) 134.

[35] Maithufi 'Adoption according to customary law – *Kewana v Santam Insurance Co Ltd* 1993 (4) SA (Tk) followed' (2001) 1 *De Jure* at 391. See Nkosi '"It takes a village to raise a child": Accessibility of social assistance benefits in indigenous African communities' (2010) 22 *SA Merc LJ* 350.

[36] Chirwa 'Social exclusion and inclusion: Challenges to orphan care in Malawi' (2002) 11 *Nordic Journal of African Studies* 100.

[37] Pakati *Trends in adoption behaviour in the African family and the role of social work* (Doctoral thesis University of South Africa (Pretoria)) (1992) 47-48. Orphaned children are not the only example of children cared for by family and relatives; communities had systems in place to care for other children in need of care. See also Moeno *The urban African family disorganisation with special reference to the problem of illegitimacy* (Master's thesis University of South Africa (Pretoria)) (1969) 34-35.

[38] Nkosi (n 35) 355.

[39] *Ibid.*

Various communal structures provided care and support to children. As stated above, collective solidarity is a distinctive feature of a typical indigenous African community. Generally, members of a community carry each other's burdens and they are a primary context in which the economic interests and psychological well-being of others are fostered.[40] People of the same '*isibongo*'[41] and their affiliates[42] grouped themselves and lived in close-knit communities. They regarded themselves as part of one another. Furthermore, affiliation of this nature led to the phenomenon of multiple fatherhood and motherhood; through which the consequences of a parent-child relationship followed.[43] While being cared for, children were taught livelihood roles and skills. Girls learnt mainly from older women and boys from men.[44]

Raising children in this manner facilitated continuity in the traditional way of life of the indigenous African people.

Isolation from the community was also considered as a form of poverty. The primary reason for this was that an individual cannot function adequately in isolation. This is understandable in view of the all-embracing foundational value of African law and culture, *ubuntu*. Thus it has been said that within a traditional African context (and I quote) 'the "poor" in terms of life are those, who, no longer have the vital link with the community'.[45] For this reason, it was imperative that the necessary rituals be conducted and those secluded from the community be reinstated.[46]

The act of extending assistance to fellow humans during times of need can be referred to as social security or social assistance in today's terms. As illustrated above, contingencies addressed through this form of assistance are broad. They range from attending to the economic interests of others to fostering their psychological well-being.[47] This approach of affording care encompassed all areas of need and addressed them in a holistic manner.

Although the said traditional social assistance mechanisms subsisted through the colonial and democratic eras, colonisation and subsequently apart-

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[40] *Ibid*. See also Van Niekerk (n 16) 289-290.
[41] Literally translated, *isibongo* means 'surname'. It is, however, important to note that from the surname, secondary surnames, called *izithakazelo* in isiZulu, exist. Such secondary surnames are also significant in establishing relations because people with the same surname or secondary surname are related.
[42] Nkosi (n 35) 355.
[43] *Ibid*. See also Hammond-Tooke *The Bantu-speaking peoples of southern Africa* (1974) 103-104.
[44] Mbiti *African religions and philosophy* (1971) 122-124.
[45] Manci *The response of African religion to poverty, with specific reference to the Umzimkhulu municipality* (Doctoral thesis University of South Africa (Pretoria)) (2005) 50.
[46] Manci (n 45) 61.
[47] See Ajayi 'Solidarity in African society crisis' in *Towards solidarity in the management of African societies: Misgivings and certitudes: Proceedings of an African Symposium on African Societies and the Solidarity Contract* (1984) 8-9. See also Nkosi (n 32) 346-359.

heid caused severe disruptions to family and communal organisation. They were thus weakened.

3 Social assistance in the pre-constitutional era

The term pre-constitutional is used to refer to the colonial and the post-colonial eras.

The colonial era began when the Europeans arrived and settled in South Africa in 1652.[48] The post-colonial era, also generally referred to as the apartheid era, began in 1910, with the establishment of South Africa as a Union.

Subsequent to the Europeans' settlement, in competition with the British who first settled in South Africa in 1820,[49] they began gradually to annex parts of the country until eventually it was completely colonised.[50] Land conquests by the colonisers eventually led to the enactment of the Land Act of 1913 which marks the beginning of the unprecedented, massive displacement of Black people and the chain of events that eventually entrenched the legacy of Black poverty that South Africa is facing today. Landlessness gave rise to homelessness, starvation and aggravated poverty. The colonialists turned land and livestock into commodities.[51] This affected the manner in which land and livestock were utilised for the purposes of welfare amongst the indigenous kinship groups.

The colonial era is marked with racial segregation and non-uniform approaches to poverty, in particular between the Black and the White races. The response of the colonial regime to Black poverty was largely influenced by the conservative theory. In terms of the conservative theory the poor are subjected to poverty due to various personal attributes including that they either do not work hard enough to avoid poverty or that they are unable to redeem themselves of poverty because of genetic and other limitations, such as lack of intelligence, a low level of or a lack of any education or a lack of skills.[52] The conservative theory maintains that the poor are responsible for their plight.[53] While assistance for the purposes of economic upliftment may be offered, such assistance is not a moral obligation.[54]

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[48]McKendrick and Dudas 'South Africa' in Dixon (ed) *Social welfare in Africa* (1987) 187.

[49]Malherbe 'Education and the poor White' in The Report of the Carnegie Commission (3) *The poor White Problem in South Africa* (1932) III-21.

[50]The British annexed the Cape in 1795, while the Transkeian territories were annexed between 1877 and 1894. Natal was annexed in 1843 and the Transvaal in 1877. See Van Niekerk (n 14) 54-66.

[51]Van Niekerk (n 16) 38.

[52]Bradshaw 'Theories of poverty and anti-poverty programs in community development' (2006) Rural Poverty Research Center Working Paper no 06-05 at 6 available at http://www.rprconline.org/ (accessed 2012-11-13); Ondari 'Poverty and wealth: A Christian perspective" (2001) 9 available at http://www.aiias.edu/ict/vol_28/28cc_343-362.htm (accessed 2012-11-13).

[53]Lawrence 'Who needs the social safety net? A picture of vulnerability in South Africa' in Coetzer, Kinghorn and Van der Berg (eds) *Social safety nets* (1992) 2.

[54]*Ibid*.

Other theories such as the economic theory stem from the conservative theory. According to the economic theory, social welfare perpetuates poverty by promoting dependency which in turn does not encourage the welfare beneficiaries to improve their conditions.[55]

In denying the indigenous African people any form of welfare the ideology that Black people were responsible for their impoverished plight was dominant.[56] The individual African, his family and his community carried the primary responsibility of providing a safety net against poverty.[57] One of the arguments in favour of this approach was that it was proper for African people to be provided for under indigenous practices and customs that accommodated their way of life.[58] The irony is that the very African system that was systematically impoverished by colonisation and subsequently apartheid was expected to provide safety nets for the needy.[59] With fathers and family heads having migrated to urban areas, sometimes for indeterminable periods, in search of employment opportunities, dependants were left vulnerable to economic hardships. Further, traditional social assistance measures for indigenous African people were not strengthened through legislative and other means. They operated in isolation from the conventional social assistance system and had to strive against the difficult socio-economic challenges.[60]

Although indigenous African social assistance measures continued to provide for psychological, sociological and other needs for children and other members of the community, with limited land for agricultural use, there was a need (for these communities) to adapt their own social assistance measures in order to meet the economic challenges prevalent at the time. Schemes such as *stokvels* and burial societies were founded. It should be noted that *stokvels* were different from social assistance measures in that participants were required to make regular monetary contributions in order to receive returns. *Stokvels* therefore can be deemed as social insurance, as opposed to social assistance, which functioned on the basis of anything that members of the community could offer to assist the one in need. *Stokvels* enabled members of the scheme to share in the common pool of monetary contributions on a rotational basis.[61] Members made use of this money to meet their day-to-day expenses. Contributions made towards burial societies assisted members of the scheme to meet burial expenses

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[55]Bradshaw (n 52) 6.
[56]Lawrence (n 53) 2.
[57]McKendrick and Dudas (n 48) 185.
[58]Bhorat 'The South African social safety net: Past, present and future' (1995) 12 *Development Southern Africa* 598.
[59]Wilson and Ramphele *Uprooting poverty: The South African challenge* (1989) 342.
[60]Nkosi (n 8) 83.
[61]Dekker *Informal social security: A legal analysis* (LLD University of South Africa (Pretoria)) (2005) 134.

in the event of the death of a family member.[62] Like social assistance, *stokvels* had a positive impact in that they promoted the notion of communities developing their own innovative strategies of fighting poverty in light of emerging economic needs. During this era, the so-called poor white problem emerged. Subsequent to the industrialisation period, which began with the discovery of diamonds in 1870 and of gold 15 years later,[63] and the Anglo-Boer War which took place between the period of 1899 and 1902, many whites became poor. The analysis of poverty in relation to white people was different from that of Blacks. White poverty was considered a social ill that had to be remedied.[64] Hence, initiatives aimed at addressing poverty were directed to the benefit of poor white people. It was only in subsequent years that other racial groups could also enjoy the full benefits offered through such initiatives.[65]

Early social security initiatives aimed at curbing white poverty became evident in the 1920s. Initially, the needs of the poor were provided for by families and communities at large. The white population also received support from churches, particularly the *Nederduitse Gereformeerde Kerk* (NGK) which was very active in providing welfare services. The church also facilitated the dispersion of contributions made by the government and various charity organisations to the poor.[66] Further, the church was also involved in the running of orphanages, homes for the elderly and farm settlements.[67]

Subsequent to the promulgation of the Child Protection Amendment Act of 1921,[68] and later the Children's Protection Act of 1937,[69] the state maintenance grant was introduced.[70] The state maintenance grant was means tested and was payable for the benefit of both a parent and a child. A maximum of two children could benefit from the state maintenance grant. The grant was payable for the benefit of children below the age of 19 (or below the age of 22, if the children were still attending school).[71] The NGK was responsible for the administration of this grant when it was first introduced.[72] It was only after the government had

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[62]*Ibid*.
[63]McKendrick and Dudas (n 48) 187.
[64]Malherbe (n 49) III-3.
[65]In terms of the Old Age Pensions Act of 1928, for instance, only white and coloured people were eligible for the old-age pension. Africans and Indians were excluded. Until the 1990s, maintenance grants were largely accessible for the benefit of white children.
[66]Nkosi 'Social work and child law in South Africa – a legal perspective' (2012) 31 *Obiter* 360-361.
[67]*Id* 361.
[68]Act 26 of 1921.
[69]Act 31 of 1937.
[70]Haarmann *From state maintenance grants to a new child support system: Building a policy for poverty alleviation with special reference to the financial, social, and developmental impacts* (PhD thesis University of the Western Cape (Bellville)) (1998) 82.
[71]Haarmann (n 70) 81.
[72]Nkosi (n 66) 361.

taken a resolution to launch a formal investigation into white poverty that the South African social welfare system assumed a new form.[73] The state began to be directly involved in the social welfare initiatives and the church ceased from being the main role player in social welfare issues.[74]

The government commissioned investigations into economic hardships experienced by Whites. In 1925, the government appointed the Economic and Wages Commission. The Commission was tasked to look into the issue of white poverty. It investigated white poverty that prevailed in both the urban and rural areas. In respect of urban poverty, the Economic and Wages Commission found that cheap labour, provided by Blacks stood in competition with the Whites, particularly the unskilled. In rural areas, the Commission attributed the poor white problem to factors including insecure land tenure and poor agricultural methods.[75] In addressing the problem, land tenure reform and agricultural training was introduced.[76] The Commission collectively agreed that there was a need for unemployment benefits to be put in place.[77]

Subsequent to this finding the government appointed the Pienaar Commission. The Pienaar Commission was established in 1926. It was commissioned to investigate:[78]

(a)   The payment of pensions by the State to necessitous aged and permanently incapacitated persons who are unable to maintain themselves and for whom no provision at present exists.

(b)   A system of National Insurance as a means of making provision for risks of sickness, accident, premature death, invalidity, old age, unemployment and maternity.

The Commission found that families of the elderly White poor were either unable or unwilling to provide for them.[79] Further, other Whites were poor due to physical disabilities.[80] In its first report, the Commission recommended the expansion of social security measures through means-tested, non-contributory old age pensions and disability benefits.[81] In its second and third reports the Commission recommended that social security measures which cover sickness

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[73]*Ibid*.
[74]*Ibid*.
[75]Seekings 'The Carnegie Commission and the backlash against welfare state-building in South Africa, 1931-1937' (2006) Centre for Social Science Research Working Paper no 159 at 5.
[76]*Ibid*.
[77]Seekings '"Not a single white person should be allowed to go under": Swartgevaar and the origins of South Africa's welfare state, 1924-1929' (2006) Centre for Social Science Research Working Paper no 154 at 16.
[78]*Id* 4.
[79]*Id* 5.
[80]Seekings (n 75) 5.
[81]*Id* 4.

and unemployment be adopted.[82] The Pienaar Commission is said to have laid a foundation for the introduction of disability grants and unemployment insurance which were later introduced between 1936 and 1937.[83]

Subsequent to the investigations conducted by the Economic and Wages Commission and the Pienaar Commission, the Carnegie Commission was appointed. This Commission conducted a comprehensive study of White poverty. It began its work in 1929 and submitted its voluminous final report in 1932.[84]

3.1   The Carnegie Commission

The mandate of the Carnegie Commission was firstly to determine the nature and the extent of White poverty, secondly, to ascertain the causes of poverty, and finally, to make recommendations based on its findings.[85] Other racial groups were not considered in this investigation.

In its investigation the Carnegie Commission focussed on five aspects, namely, sociological, educational, psychological, health and economical. The economic and psychological reports will not be discussed separately as pertinent aspects contained in these reports are alluded to in the discussion of the aspects stated above.

3.1.1 Sociological

In its analysis the Carnegie Commission[86] classified poor whites into the various categories, namely, the Natural Group, the Rural Group, the Industrial Group and the Pathological Group.

The first group is the Natural Group. This group consists of three groups. Firstly, Whites who are poor due to social heredity.[87] These Whites are said to be of normal intelligence, and their children could, with proper education, become useful and respectable members of society. They are however subjected to poverty because they belonged to the inferior classes of Whites.[88] The second group is referred to as the mentally deficient. This category includes children who scored less than eighty in the intelligence quotient test.[89] The last group is the

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[82]Seekings (n 77) 4.
[83]*Ibid.*
[84]It was only in the 1980s that research into poverty which incorporated Blacks was conducted. The Second Carnegie Inquiry into Poverty and Development in Southern Africa was commissioned and it conducted its research between 1982 and 1984. Seekings (n 75) 3.
[85]Report of the Carnegie Commission (consolidated report) *The poor White problem in South Africa* (1932) V.
[86]Albertyn *et al* 'The poor White and society' in Report of the Carnegie Commission (5) *The poor White problem in South Africa* (1932) V-4.
[87]*Ibid.*
[88]*Ibid.*
[89]*Id* V-4 to V-5.

incapacitated. The incapacitated include the chronically sick, the deaf, the dumb, and the blind.[90]

The second group is the Rural Group. Four categories can be identified from the Rural Group. The first category is the nomadic group. The nomadic group does not stay in the same place for long periods.[91] During times of drought, for instance, they trek to fertile areas and return to their farms at a later stage. This state of instability has adverse effects on their economic and social well-being.[92] Children generally miss school. Being away from accustomed surroundings, the nomadic group endures hardships during sickness and childbirth.[93] Also falling within the rural group are the woodcutters. The woodcutters lived in the forest belt, under primitive conditions. Within this group are the *bywoners*, that is, the tenant farmers, who were relegated to poverty due to drought or loss of land.[94] Finally, the Transvaal Bushveld group, which is the group that could not recover from the economic effects that came as a result of the Anglo-Boer War and could not adapt to the new way of life brought about by industrialisation.[95]

The third group is the Industrial Group. This group consisted mainly of rural labourers some of whom migrated to urban areas, but were unskilled in any trade. Failure to adapt to the new industrialised environment forced them into poverty and they became dependant on charity for their livelihood.[96] It is however noteworthy that the children in this group adapted better to industrialisation. They are said to have developed into respectable industrious townspeople.[97] According to the Carnegie Commission this affirmed that the intelligence of the older generation town dwellers was intact. They only needed an opportunity to prove their self-worth.[98]

The final group is the Pathological Group. This group includes those who, as a result of alcohol abuse, laziness, improvidence, dependency or crime, have been drawn to a low social and economic standard.[99]

The Carnegie Commission made recommendations on the basis of its findings. The findings of the Carnegie Commission's investigation revealed that White poverty was generally influenced by poor education, lack of initiative and self-reliance among the younger generation, lack of industrious habits and a confused outlook on life.[100] The Commission found that the environment in which

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[90] *Id* V-4 to V-6.
[91] *Id* V- 6.
[92] *Ibid*.
[93] *Ibid*.
[94] *Id* V- 6 to V-7.
[95] *Id* V- 9 to V-10.
[96] *Id* V-12.
[97] *Ibid*.
[98] *Ibid*.
[99] *Id* V-15.
[100] Seekings (n 75) 7.

White children were growing up was not conducive to their development.[101] Recommendations of the Commission were, among others, compulsory education until the age of fifteen, school hostel accommodation for poor white children in order to enforce strict and purposive discipline, and training for the purposes of becoming skilled and self-reliant instead of being dependent on the State.[102]

Further, the Commission found that it was important that the education offerings also be relevant to the agrarian lifestyle of the rural poor. It recommended that the Department of Agriculture be practically involved in offering advice to farmers, and its services should not be limited to merely facilitating financial assistance to the said farmers.[103]

3.1.2 Education

The early education system in South Africa which was introduced by the settlers had its foundation in religion. While the majority of learners benefited from this education system in that they learned how to read and right, the sole purpose of the education acquired, however, was to teach them how to read the Bible so that they could be active participants in the Faith.[104] It was pertinent to be able to read the Bible because it was the only basis upon which culture was founded and nurtured. Families lived simple lives. They depended on subsistence farming and hunting for food.[105] Therefore, although the scope of this form of education was very limited, for a very long time it was deemed adequate and it remained unchallenged.

Economic demands brought about, mainly by drought, industrialisation and the effects of wars including the Anglo-Boer War, rendered this education system lacking. The education acquired could not equip families to adapt and meet the emerging economic demands. The fact that White families had very little experience in doing manual work compounded their hardships.[106]

In response to these challenges, attempts were made to adapt the education system. In 1804 it was proposed that the existing form of education system be expanded to incorporate handiwork and housekeeping for females.[107] It was further proposed that subjects including History, Geography and Bookkeeping be

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[101]Seekings 'The Carnegie Commission and the backlash against welfare state-building in South Africa, 1931-1937' (2008) 34 *Journal of Southern African Studies* 520.
[102]Seekings (n 75) 8.
[103]Grosskoff 'Rural impoverishment and rural exodus' in Report of the Carnegie Commission (1) *The poor White problem in South Africa* (1932) I-236.
[104]Malherbe (n 49) III-13.
[105]*Id* III-17 to III-18.
[106]Manual work was deemed to be of less status and it was relegated to Black people.
[107]Malherbe (n 49) III-24.

incorporated into the curriculum.[108] Because educational advancements were generally carried out in urban areas, the government introduced and subsidised boarding school facilities particularly for the benefit of children whose homes were in the rural areas.[109] Further, the State provided subsidised transport for poor children who lived more than three miles from the school.[110] In order to improve the conditions in rural areas, the State offered attractive remuneration incentives to teachers deployed to the rural areas.

Over and above the said educational benefits, all White children enjoyed free primary school education. For the poor primary and secondary schoolchildren, the State provided free books and school supplies.

A need for the introduction of industrial, vocational and technical education was identified. The first industrial schools were founded in Uitenhage, Cape Town and Stellenbosch between 1894 and 1898. In the following years schools of this nature were also established in other parts of the country as well.[111] These schools trained and produced artisans, apprentices, carpenters and agriculturalists.[112]

The Prisons Act of 1911 necessitated the establishment of industrial schools which were reformatory and punitive in nature. These were established in the interest of children committed in terms of the Children's Protection Act of 1913 and were fully funded by the State.[113]

In its recommendations on the education advancements discussed above, the Commission realised the need for the education offered to be relevant. Children should not attend school simply because it is fashionable to do so.[114] The Commission recommended that children should be exposed to schooling that is related to their everyday lives and that actually equips them for what they intend to do after completion.[115] Further, the Commission cautioned against the adoption of foreign educational models which do not fit into our South African settings. The Commission made specific reference to the English and European elementary education models which provide that elementary education should be general and vocational training should be introduced after completion of elementary school. The Commission's criticism of these models is that the elementary schooling of England and Europe is a different concept from that of South African primary schooling. The Commission pointed out that, among other things, the years spent in primary school are more prolonged than those spent in elementary school.[116]

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[108] *Ibid*.
[109] *Id* III-25.
[110] *Id* III-241.
[111] *Id* III-49 to III-50.
[112] *Ibid*.
[113] *Id* III-51 and III-246.
[114] *Id* III-336.
[115] *Ibid*.
[116] *Ibid*.

While investigating the significance of education in addressing the poor white problem, the Commission identified a problem of dependency that came about as a direct consequence of the State-aid of funding for education.[117] The Commission found that while education was imperative in lifting the poor whites out of poverty, it also found that offering education for free could lead to undermining the recipient's sense of responsibility and of devaluing education as something not worth much if they do not spent any money in order to acquire it.[118]

In this regard, the Commission made recommendations that firstly, every person, no matter the extent of the poverty they live in, must contribute, either in cash or in kind, towards the education of their children.[119] Secondly, a culture of direct interest in the education of children and the schools they attend must be cultivated. Communities must be sensitised to the fact that State-funded education is not really free, but it is funded through taxes. Thirdly, the educational interests of children should be accurately identified. A standardised system of education may not prove useful if it does not meet the needs of the aspiring learner. Where educational interests are not served, children may not feel inclined to put concerted effort into their education.[120]

The findings of the Carnegie Commission on education also influenced the establishment of early childhood development centres. In the 1930s the government established childhood development centres.[121] The early childhood development centres were categorised in terms of welfare and education. Welfare was aimed at providing custodial childcare support,[122] whilst the education category of early childhood development made provision for nursery schools, and was purely educational in nature.

3.1.3 Health

Another aspect investigated by the Commission in relation to the poor white problem was health and related factors The Commission based its analysis on various factors in order to establish the state of health of poor whites. In particular, the Commission paid special attention to the state of health of children. The main aspect that the Commission focussed on in this regard was the diet and the impact it had on the health of children. It made an analysis of foodstuffs and eating plans of children and thereafter highlighted identified deficiencies.[123]

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[117]*Id* III-49 to III-266.
[118]*Ibid*.
[119]*Id* III-49 to III-267.
[120]*Id* III-268 to III-269.
[121]Porteus 'The state of play in early childhood development' in Chilsholm (ed) *Changing class: Education and social change in post-apartheid South Africa* (2004) 346.
[122]Porteus (n 121) 124.
[123]Murray 'Health factors in the poor White problem' in Report of the Carnegie Commission (4) *The poor White problem in South Africa* (1932) IV-124.

Samples of data were obtained from different schools, mainly in the Transvaal and the Cape Province.[124] The findings indicated that the numbers of children as classified in accordance with the diet they were consuming were proportional. Children were classified in terms of what was called 'good diet',[125] 'fair diet',[126] 'poor diet'[127] and 'very poor diet'.[128]

Further, the Commission found that seasons of drought in the provinces where the investigation was conducted had negative effects on food production. Children whose diet was not adequate generally suffered from a disease called scurvy. This disease, however, generally manifested itself in moderation.[129]

The Commission also highlighted the importance of rehabilitating the poor through encouraging them to develop different personal and psychological qualities.[130] The Commission asserted that to simply provide the poor with opportunities to earn income was not enough, as such opportunities tend to change a person's circumstances, and not his being.[131] The Commission emphasised that poor whites fundamentally required to be trained in becoming good, skilled workers, who were self-reliant and not dependant on the State or charity.[132] The Commission therefore was of the view that direct financial or any other form of assistance, not reciprocated by some form of equivalent service, should be minimal.[133]

The investigations of the Carnegie Commission were thorough and included an enquiry into the causes and effects of poverty among the Whites. Although monetary assistance in the form of grants was already made available to benefit the Whites, the recommendations of the Commission did not only address the immediate financial needs of the poor whites. Its recommendations required that valuable time be spent in addressing all the other aspects pertinent to poverty, namely, the psychological, educational, health and sociological aspects.

4   Social assistance in the Constitutional era

The Constitutional era began in the 1990s. Coincidentally, this era also marks the

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[124]Murray (n 123) IV-23.
[125]3 500 children out of 10 300 children were consuming a good diet. See Murray (n 123) IV-24 to IV-25.
[126]2 900 children out of 10 300 children were consuming a good diet. See Murray (n 123) IV-24 to IV-25.
[127]2 200 children out of 10 300 children were consuming a good diet. See Murray (n 123) IV-24 to IV-25.
[128]1 700 children out of 10 300 children were consuming a good diet. See Murray (n 123) IV-24 to IV-25.
[129]Murray (n 123) IV-124.
[130]Seekings (n 75) 8.
[131]*Ibid*.
[132]*Ibid*.
[133]*Id* 9.

relaxation of the stringent barriers to social assistance for other racial groups. During this period, the child maintenance grant was extended to benefit African children.[134] Other maintenance grants also became accessible, particularly to those residing in rural areas.[135] Social assistance in the Constitutional era is commended for breaking the racial barriers perpetuated during the colonial regime by ensuring access to social assistance to all the indigent, regardless of race. Statistics show that in 2011, grants paid out to the needy amounted to R14 810 957.[136]

This era bases its viewpoint about poverty on generic theories. Generic theories attribute poverty to external factors, that is, a spectrum of socio-economic and political problems. These include: the poor being in unfavourable positions in terms of hierarchies in social structures,[137] inadequate non-poverty employment opportunities, low national income and geographical disparities.[138] Generic theories therefore imply that poverty is influenced by socio-economic and political problems. Naturally, the social assistance of this era is largely focussed on basic economic needs.

The adoption of generic theories in this era is apparent in the social welfare founding document. The White Paper for Social Welfare[139] echoes the strategies of lifting the poor from poverty through various reforms. It therefore creates a viable basis for linking social assistance to developmental strategies. The White Paper for Social Welfare presents both social security and social development as poverty alleviation tools.[140] In its preamble, it calls upon South Africans to participate in the development of an equitable, people-centred, democratic and appropriate social welfare system. It further asserts that South Africans will be afforded the opportunity to play an active role in promoting their well-being and in contributing to the growth and development of the nation.

It seeks to facilitate 'the development of human capacity and self-reliance within the caring and enabling socio-economic environment' and to 'serve and build a self-reliant nation in partnership with all stakeholders through an integrated social welfare system'.[141]

The White Paper for Social Welfare identifies two key areas of concern in its analysis of poverty in South Africa. Firstly, economic growth and income distribution

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[134] Kruger *State provision of social security: Some theoretical, comparative and historical perspectives with reference to South Africa* (MCom thesis University of Stellenbosch (Stellenbosch)) (1992) 162.
[135] Bhorat (n 58) 601.
[136] South African Social Security Agency 'Statistical report on social grants' Report no 39 (2011) available at http://www.sassa.gov.za (accessed 2012-11-13).
[137] Niemelä 'Perceptions of the causes of poverty in Finland' (2008) *Acta Sociologica* 25.
[138] Bradshaw (n 52) 10-12.
[139] White Paper for Social Welfare *GG* 18166 GN 1108, August 1997 (hereafter the Social Welfare White Paper).
[140] Gray 'The progress of social development in South Africa' (2006) *International Journal of Social Welfare* s 56.
[141] Social Welfare White Paper.

is a cause for concern. There are disparities of income distribution between the rich and the poor. It is said that forty per cent of households in South Africa earn less than six percent of the total national income whereas ten percent of the rich households earn more than half of the national income.[142]

Secondly, employment opportunities are few in the formal sector of the economy. The formal sector is skill driven and specialised in nature.[143] A vast number of Black South Africans are uneducated and therefore unskilled. Therefore their economic activity is more intense in the informal sector such as subsistence agriculture and informal trading. Groups that are mostly affected by unemployment are women, particularly those in rural areas; young people and people with disabilities.[144] The White Paper for Social Welfare therefore propagates access to social assistance as an intermediate measure in addressing poverty. It highlights the significance of social assistance in easing the effects of unemployment in families. Through social assistance poor families are able to provide basic support to members of their households, particularly children.[145] It further acknowledges the increase in the demand for social assistance as more people turn to it for support.[146]

The Social Assistance Act[147] ultimately makes provision for social assistance and the administration of social grants.[148] The Act introduced various social assistance grants aimed at benefitting a spectrum of society regardless of race.[149] These include the grants for old age, disability, child support, foster care, care dependency and war veterans.

Certainly, poverty alleviation strategies and developmental strategies envisaged in the White Paper for Social Welfare are underplayed in the Social Assistance Act. It is inevitable that one would expect that stronger links between social assistance and development would be created on the basis of the tone set in the White Paper for Social Welfare and the assertion that social assistance is the main tool used for alleviating poverty.

Social assistance today is generally monetary in nature. In 2010[150] the State, through the Social Assistance Act Regulations,[151] linked the right of access to education to social assistance. In terms of the Social Assistance Act Regulations, access to the child support grant is directly linked to the child's right to education.

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[142]*Id* ch 1.
[143]*Ibid*.
[144]*Ibid*.
[145]*Ibid*.
[146]*Ibid*.
[147]Act 13 of 2004.
[148]Section 3(a).
[149]Chapter 2 of the Social Assistance Act.
[150]Social Assistance Act Regulations that came into effect on 1 January 2010.
[151]Social Assistance Act Regulations no 32853.

The regulation requires a primary caregiver who receives a child support grant for the benefit of the child to provide proof that the child for whom the grant is received is enrolled at a school or an educational institution and that the child actually attends that school or institution.[152] It further provides that in the event of failure by the child to attend school, notice of this failure should be furnished to the Director-General of the National Department of Social Development by the primary caregiver of the said child.[153] Upon receipt of such notification the Director-General will cause a social worker to investigate the situation.[154]

The link between social assistance and education is about the only developmental element of social assistance.

Furthermore, as stated above, the White Paper for Social Welfare recognises rural dwellers as one of the groups affected by poverty. The effects of poverty in rural areas are deeply entrenched. A great percentage of areas classified as rural areas today are areas formerly known as homelands. The apartheid government demarcated certain portions of the country into homelands, and assigned black people into these homelands. The homelands were meant to be economically independent, and were declared as such; however, due to their locations, and inadequate infrastructures, the homelands remained economically unproductive. Large proportions of land in the homelands were arid and it was difficult to grow crops.[155] Pastures for grazing cattle and livestock were limited. Consequently, large proportions of people were subjected to hunger.

When the democratic government came into office, it reincorporated the homelands into the Republic. Although there are initiatives aimed at economically uplifting the homelands, and other rural settlements in general, there are still economic and other challenges typical in rural areas.

In view of how the apartheid government sought to underdevelop the said rural areas and the distinctive nature of the hardships experienced in these areas, particularly if compared to those of urban dwellers, it is not far-fetched for one to expect that linkages between social assistance and development for rural dwellers would be created. While a monetary grant ensures that families' immediate economic needs are catered for, it is not designed to create continuity with the traditional social assistance system that was disrupted during the pre-constitutional era. Social assistance initiatives that facilitate continuity to the traditional way of life for rural dwellers would be welcomed. Such social assistance initiatives will create viable and long-term economic results for the poor in rural areas.

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[152]Regulation 5(a) and (b). See also Nkosi (n 8) 90.
[153]Regulation 5(d). See also Nkosi (n 8) 90.
[154]Regulation 7(a). See also Nkosi (n 8) 90.
[155]Haysom and Armstrong 'Population relocation and the law: Social engineering on a vast scale' in *Second Carnegie inquiry into poverty and development in Southern Africa* (1984) 28 (editor not stated).

Thus, unlike the traditional indigenous African social assistance system and the social assistance measures targeted to the poor whites, the present-day social assistance is narrow. Developmental, empowerment and rehabilitative programmes are not intertwined with social assistance. They operate independently of social assistance.

5 Recommendations and conclusion

The Carnegie Commission adopted systematic and holistic approaches in order to ensure that the scourge of poverty was removed from the core. Poor white children in particular were subjected to a rigorous education system in order to ensure that they developed into self-sufficient adults. The State also realised that while it offered financial support to the poor, this State provision should not tamper with their self-worth. The Carnegie Commission made recommendations aimed at dealing with the sense of dependence and helplessness that may arise while the poor were still largely dependent on the State for their economic needs. The State nurtured economic independence by promoting the acquisition of job-related skills. Further, the poor were subjected to rehabilitation processes which also concentrated on their mental well-being.

Regrettably, it must be stated that all the efforts made to address poverty only benefited White families. The needs and economic interests of Black families were not considered, although both racial groups endured the effects of industrialisation and the skirmishes that were prevalent at the time.

The manner in which White poverty was managed during the colonial era creates a point of departure in this discourse. However, it must be stated from the onset that this approach was at the time economically viable. The country's wealth was in the hands of the White minority, therefore, enormous resources were available and they could be channelled at more holistic poverty alleviation strategies. Further, this suggests that the approaches adopted by the colonial regime and those adopted by the post-colonial regime are not necessarily strictly comparable. The emerging complexity and scale of current socio-economic challenges create far more competing interests. All these have to be provided for from an already stretched social welfare budget. This perhaps justifies the basic and simplistic nature of the current social assistance system for the poor. However, there is still an urgent need to develop innovative strategies for ensuring optimum benefits within the scope of the meagre social assistance that is being provided. A good example of such an innovative strategy is that of linking social assistance to the right to education. Although no evidence has been obtained relating to the implementation of this regulation, or even its successes, its pronouncement is nevertheless the right move towards formally marrying social assistance to developmental strategies. Education is generally viewed as the key to child development. Education prepares children for economic

independence, which in turn minimises a life of poverty, even in adulthood. Seizing the opportunity of linking social assistance to more developmental and empowerment strategies will prove successful. The main success will be derived from the fact that any mechanisms that are employed will be properly targeted as there is already comprehensive data of beneficiaries of social assistance.

An inference to a holistic approach can also be made from the indigenous African approach to social welfare. The indigenous African social welfare system provided for a system where a need had to be attended to, regardless of its nature. That is, the traditional way of life of indigenous African people required that the holistic nature of a human being be considered. They understood that poverty was not limited to economic needs. For members of a community to function within the traditional settings, their economic, social and cultural well-being was imperative. The fabric that held this system together was the wisdom of knowing that they were part of each other and responsible for one another in a reciprocal manner. Therefore, principles of social assistance used by indigenous African people during the pre-colonial period are sound and may be fruitfully used in the modern social assistance system. While it is not suggested that the answer to poverty for rural dwellers is the adoption of the former lifestyle from the pre-colonial era, it is suggested that their current way of living, as it has evolved, ought to be considered. Developmental strategies which are not adaptable to specific settings may prove ineffective.

Having said this, it is important that social assistance measures be properly structured. Precise objectives must be set of how social assistance is to aid beneficiaries while in receipt of such assistance. Such objectives must be constantly assessed in order to monitor progress. While it is accepted that poverty is complex and cannot be eradicated overnight, research shows that consultation, accurate planning and setting clear goals can yield the desired outcomes.[156]

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[156]De Long and Eichengreen 'The Marshall Plan: History's most successful structural adjustment program' *NBER Working Paper* 3999 (1991) 58 available at www.nber.org/papers/w3899 (accessed 2013-07-13). See also Eichengreen 'Lessons from the Marshall Plan' World *Development Report* (2011) 3-5 available at http://www-wds.worldbank.org (accessed 2013-07-13).