The embrace of socio-economic rights in post-apartheid South Africa has featured prominently in scholarship on constitution making, legal jurisprudence, and social mobilisation. But it has also attracted critics who claim that this turn towards rights has not generated substantive social transformation in practice. This book sets out to assess one part of the puzzle. It asks what has been the role and impact of socio-economic strategies and tactics used by civil society actors. Focusing on a range of rights and national trends in law and political economy, the book’s authors show how socio-economic rights have influenced civil society discourse and action. The evidence suggests that some strategies have achieved positive (and occasionally negative) material and political impacts, but this is conditional on the nature of the claims, the degree of mobilisation and alliance building, and the underlying constraints.

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Socio-Economic Rights in South Africa

SYMBOLS OR SUBSTANCE?

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The origins of this book are diverse. The kernel of the idea was born in a discussion in 2009 about the impact of the South African Constitutional Court’s landmark *Grootboom* judgment. Was it an illustration of everything positive or everything negative about the uptake of socio-economic rights in post-apartheid South Africa? Was the judgment and its various impacts a vindication of the housing rights for highly marginalised urban dwellers, facilitating emergency assistance and protection from eviction? Or was it Exhibit A of the danger that relying on socio-economic rights might narrow the frame of political struggle and leave communities and individuals without any remedies of substance.

The discussion itself occurred in the context of a meeting of South African civil society organisations and university centres that benefitted from Norwegian government support for work on human rights, particularly on socio-economic rights. As this decade-long programme of support came to an end in 2010, it was pertinent to ask: what have these and other organisations achieved through their turn to socio-economic rights as a means to address poverty and inequality in the post-apartheid era? What is the actual evidence and how should we assess it?

The result is this volume of fifteen contributions, which draws together scholars and some advocates from a range of disciplines. Together, the authors analyse the effects of different socio-economic rights and strategies employed by civil society organisations and university centres that benefitted from Norwegian government support for work on human rights, particularly on socio-economic rights. As this decade-long programme of support came to an end in 2010, it was pertinent to ask: what have these and other organisations achieved through their turn to socio-economic rights as a means to address poverty and inequality in the post-apartheid era? What is the actual evidence and how should we assess it?

The result is this volume of fifteen contributions, which draws together scholars and some advocates from a range of disciplines. Together, the authors analyse the effects of different socio-economic rights and strategies employed by civil society organisations and university centres that benefitted from Norwegian government support for work on human rights, particularly on socio-economic rights.
formations and organisations, and more broadly assesses the relevance of socio-economic rights as a political and legal resource for tackling poverty and inequality and strengthening social mobilisation and action. We are deeply grateful to all the authors for their willingness to grapple with the objectives of the book – we hope all have benefitted as much from the process as we have. We thank the authors particularly for new insights and perspectives shared.

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Ultimately, we express our gratitude to our various ‘research objects’, the organisations and individuals who have struggled in different ways to improve the situation in South Africa. We hope that the pages of this book contribute to a critical and informed approach to the question of rights and social change in the cauldron of practice. Socio-economic rights still represent a relatively new paradigm and should be subject to more experimentation and ongoing reflection rather than hard and fast conclusions. The essential message of this book is that these rights can be a lever for change but that their potency is dependent on underlying factors and strategic choices.

Malcolm Langford, Ben Cousins, Jackie Dugard and Tshepo Madlingozi