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Social, Economic and Environmental Policy Complementarity in the South African Mining Sector

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New Directions in Social Policy:
Alternatives from and for the Global South

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Introduction to Working Papers for New Directions in Social Policy: Alternatives from and for the Global South

This paper is part of a series of outputs from the research project New Directions in Social Policy: Alternatives from and for the Global South.

The project examines the emergence, nature and effectiveness of recent developments in social policy in emerging economies and developing countries. The purpose is to understand whether these are fundamentally new approaches to social policy or welfare systems which could offer alternative solutions to the critical development challenges facing low- and middle-income countries in the twenty-first century. This research aims to shed light on the policy options and choices of emerging/developing countries; how economic, social, political and institutional arrangements can be designed to achieve better social outcomes given the challenges of the contemporary development context; how the values and norms of human rights, equity, sustainability and social justice can be operationalized through “new” social policies; and how experiences, knowledge and learning about innovative approaches can be shared among countries in the South. For further information on the project visit www.unrisd.org/ndsp.

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Acronyms

AMCU	Association of Mineworkers and Construction Union
ANC	African National Congress
BBBEE	Broad-Based Black Economic Empowerment
BEE	Black Economic Empowerment
CCMA	Commission for Conciliation, Mediation and Arbitration
CEO	Chief Executive Officer
COSATU	Congress of South African Trade Unions
CSI	Corporate Social Investment
CSO	Civil Society Organization
CSR	Corporate Social Responsibility
DEA	Department of Environmental Affairs and Tourism
DMR	Department of Mineral Resources
DPME	Department of Planning, Monitoring and Evaluation
EIAs	Environmental Impact Assessments
GDP	Gross Domestic Product
GEAR	Growth, Employment and Redistribution Plan
HIV/AIDS	Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome
MACUA	Mining-Affected Communities United in Action
MIGDETT	Mineral Industry Growth and Development Task Team
MPRDA	Mineral and Petroleum Resources Development Act
NDP	National Development Plan
NEDLAC	National Economic Development and Labour Council
NEMA	National Environmental Management Act
NGO	Non-Governmental Organization
NGP	New Growth Path
NUM	National Union of Mineworkers
RDP	Reconstruction and Development Plan
ZAR	South African Rand

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Abstract

This paper considers the complementarity of social, economic and environmental policy in South Africa, using the mining sector as a case study. The mining sector has been chosen due to its unique position as a backbone of the South African economy, its historical significance and impact on social conditions, and its key role in shaping social policy. The paper considers policy complementarity as critical for social, economic and environmental development in order to achieve optimal redistributive outcomes, and develops an analytical framework for assessing policy complementarity through the dimensions of “autonomy”, “alignment” and “adjustment”.

The paper assesses the policy complementarity of pre- and post-apartheid policy mandates; and the intersections between policy actors from the state, the mining industry, labour and civil society. This analysis finds that intersectoral policy connections are necessary, but not sufficient, for the achievement of optimal redistributive outcomes. While South Africa benefits from a robust intersectoral post-apartheid legislative and policy framework, and progress has been made in several areas, significant challenges remain as evidenced by the slow pace of legislative reform, institutionalized political corruption, low levels of trust between stakeholders, differing perspectives on the meaning of “transformation” and who is responsible for its attainment, and internal divisions in the labour sector.

The paper concludes that three factors are of particular importance in promoting policy complementarity: the presence of multilateral platforms to accommodate dialogue and negotiation between stakeholders to develop the social pacts required for sustainable development; the retention of sectoral expertise within state structures to enable the effective intersectoral implementation of policy; and that policy be enshrined in legislation, protected and enforced by a strong court system.

At the time of their collaboration with UNRISD, Sophie Plagerson and Lauren Stuart were researchers at the Centre for Social Development in Africa, University of Johannesburg, South Africa.

1. Introduction

This paper examines the nature of policy complementarity in the South African mining sector, and the ways in which policy complementarity can support the achievement of optimal redistributive outcomes. The study develops and applies an analytical framework that examines the intersections between social policies, economic policies and environmental policies in their design and implementation. The mining sector is not a “social policy sector” in the narrow sense of the term but, as this paper shows, it has played a key role in the development and realization of social policies in South Africa, both before and after apartheid. While the mining sector has historically held a somewhat residual approach that views social policy as a response to individual risk and vulnerability, this study applies an analytical lens that views social policy as a systemic component of social, economic and environmental development (Mkandawire 2004).

There has been a resurgence of interest in understanding the complementarity of social, economic and environmental policies. Policy analysts such as James Midgley and Thandika Mkandawire have highlighted the need for approaches that could overcome the bifurcation of social and economic policy (Midgley 2014, Mkandawire 2012). Environmental policy is also a key component of integrated policy analysis for sustainable development (Elson 2004). The study builds on, and critically assesses, the premise that joined-up policy is necessary to address challenging issues such as poverty and inequality in order to achieve redistributive outcomes. Nonetheless, it is acknowledged that in practice policy intersections are typically played out within state bureaucracies dominated by vertical structures and in the context of multiple competing interests. Therefore, the aim of this paper is to understand the nature, strength and elasticity of the actual linkages between social, economic and environmental policy in the mining sector and to identify factors that promote or hinder policy complementarity.

Post-apartheid South Africa has developed remarkable frameworks for integrated policy making. Yet the current climate is marked by political uncertainty which has placed its democratic governance system under severe pressure, with suspicion both of policy makers and between government departments. At the time of preparing this paper there has been a recent spate of dismissals of cabinet ministers—including the Ministers of Finance and Energy—when at the same time the country is trying to bring its Minister of Social Development to account for mismanaging the payments of cash transfers to more than a third of the country’s citizens. These intertwined trajectories of rhetoric and reality have implications for policy implementation and, therefore, for social outcomes, and form the backdrop against which the analysis of this paper is conducted.

In section 2 of this paper an analytical tool for investigating policy complementarity is developed which can be applied in two ways: first, to the analysis of policy mandates as expressed in major policy documents guiding public policy; and second, to the analysis of the relationships between the policy actors responsible for implementing public policy. The framework identifies three dimensions through which complementarity is assessed: *autonomy*, *alignment* and *adjustment*.

This analytical framework is then applied to the mining sector. Section 3 gives an overview of the mining sector and section 4 tracks the historical development of policy mandates in terms of their intersectoral nature, both under apartheid and post-democracy. Section 5 maps policy actors in the mining sector in terms of their complementarities, including the state, the private sector, labour and civil society.

The mining sector has been purposively selected as a case study to illustrate the nexus between social, economic and environmental policy in practice. There are several reasons for its selection. First, the mining sector has played a key role in shaping and directing the contours of social policy. Second, the sector represents a complex intersection of social, economic and environmental policies that require sectoral and intersectoral technical expertise for their effective implementation. Third, the mining sector presents a fascinating example of multiple bilateral and multilateral relationships held in tension between stakeholders. The industry has evolved considerably over time and is one of the largest employers of low wage workers. Yet historically the mining sector has had little regard for the social and environmental dimensions of its operations due to a primary focus on extracting and shipping bulk minerals to overseas markets. In recent times social unrest in mining communities has highlighted the social and economic conditions of workers and off-mine communities. Furthermore, recent attention to climate change considerations and international commitments has provided new opportunities to scale up and mainstream significant socioeconomic development as an integral part of natural resource policy (NPC 2011, UNECA 2011, Evans 2010).

Section 6 concludes this paper by summarizing the ways in which policy complementarity in the South African mining sector has supported a redistributive paradigm. Analysis of public policy and mining legislation provides insights regarding the design of complementary policies and shows how policy mandates have protected the redistributive agenda over time. The study of inter-stakeholder relations refers to the implementation of intersectoral policy and provides examples of the mixed impacts of concurrent bilateral and multilateral policy-making platforms. The case study also highlights a broad spectrum of views held by different actors regarding the role of the “social” in the mining sector and the allocation of responsibility for social policy between actors. Overall, the findings suggest that intersectoral policy connections are necessary but not sufficient for the achievement of more equitable outcomes for the majority. Institutionalized corruption has emerged as a key threat to policy complementarity and the achievement of national development priorities. A final section reflects on three factors that emerged in the study as significant for the design and implementation of complementary policy making: legislation and the role of the courts, multilateral stakeholder platforms and the retention of sectoral expertise within state departments.

2. Analytical Framework

The concept of policy complementarity is central to this paper’s analysis of social, economic and environmental policy linkages. Complementarity is understood as the relationships between components of a whole which mutually improve each other’s

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