AuthorsWendy Annecke
Peta Wolpe

Coordination
Anda David

Research Poers

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What role for social policies in the framework of the just transition in South Africa?

Authors

Wendy Annecke

Freelance researcher

Peta Wolpe

Freelance researcher

Coordination

Anda David (AFD)
Antoine Godin (AFD)

Résumé

Cet article explore la mesure dans laquelle les politiques sociales en Afrique du Sud pourraient servir de mécanismes pour améliorer la transition vers une économie à faible émission de carbone et contribuer à atténuer certains des impacts négatifs afin de transition garantir une holistique et juste. Il tente de contribuer à la nature fluide et contestée du débat sur une transition juste en Afrique du Sud en cartographiant les implications historiques bien ancrées de l'utilisation du charbon, en les superposant à une description de certaines des politiques développées pour faire face à l'énergie et au changement climatique et en analysant dans quelle mesure les politiques actuelles de protection sociale, conçues pour faciliter le bien-être, pourraient être exploitées pour une société plus équitable et une transition juste. L'évaluation est ensuite appliquée dans une étude de cas de la municipalité de Steve Tshwete, une zone typique d'exploitation

charbon dans la province de Mpumulanga où les impacts négatifs de l'exploitation du charbon sont évidents. Les politiques sociales actuelles, principalement sous la forme de transferts en espèces, ont permis de réduire la grande pauvreté et l'étude a montré qu'il existe de nombreuses politiques et cadres louables soutenant la transition vers une économie à faible émission de carbone. Toutefois, la mise en œuvre actuelle n'offre qu'une protection minimale et il est peu probable qu'elle soit en mesure de combler les lacunes qui s'ouvriront en raison des pénuries d'eau, de nourriture et d'énergie résultant de transition et du changement climatique

Mots clés

Changement climatique, inégalités, énergie, politiques sociales Afrique du Sud.

Abstract

This paper explores the extent to which social policies in South might serve mechanisms to enhance the transition to a low carbon economy and contribute to mitigating some of the negative impacts towards ensuring a holistic and just transition. It attempts to contribute to the fluid and contested nature of the debate on a just transition in South Africa by mapping the entrenched historical implications of coal use, overlaying these with description of some of the policies developed to address energy and climate change and analysing the extent to which current social protection

policies, designed to facilitate well-being, might be harnessed towards a more equitable society and a just transition. The assessment is then applied in a case study of Steve Tshwete Municipality, a typical coal mining area in Mpumulanga province where the negative impacts of coal mining are evident. Current social policies, primarily in the form of cash transfers, have reduced dire poverty and the study has shown that there are many laudable policies and frameworks supporting transition to a low carbon economy. However current implementation offers only the minimum protection and is unlikely to be able to plug the gaps that will open up due to food and water, energy shortages as a result of the transition and climate change.

Keywords

Climate change, inequality, energy, social policy, South Africa.

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Introduction: a just transition in the context of South Africa

This paper explores the extent to which social policies and social protection policies (terms often used interchangeably) in South Africa might serve as mechanisms to enhance the transition to a low carbon economy and contribute to mitigating some of the negative impacts towards ensuring a holistic and just transition. Since democracy in 1994, the South African government has given priority to reducing high levels of poverty, inequality and unemployment, all initially legacies of the apartheid regime, but that have remained in place and become endemic. It is therefore critical that a transition to a low carbon economy should ensure the social protection of those most affected by, amongst others, the loss of jobs and change in livelihoods.

Nationally and internationally there is agreement on the need to reduce carbon emissions and transition to low carbon economies (Tollefson 2021). South Africa's use of coal and resulting contribution to high carbon emissions is described below along with some of the policies intended to address both coal use and the climate change it is precipitating. However, critical to South Africa's conversion to a low carbon economy is that it should be a just transition that is, a process that does not leave the poor and vulnerable worse off than they are now, but rather ensures that meeting the needs of the poor is incorporated into a socially and ecologically sustainable and better society. There are considerable challenges involved in such a process, not the least of which is the profound debate in South Africa about what a just transition means and how to achieve it. On one end of the spectrum is the notion of an 'affirmative' just transition, insofar as the process should seek to redistribute environmental, economic and social burdens within the given socio-economic paradigm.

And on the other end is the notion of 'transformative' just transition, insofar as it seeks to restructure the entire system of production and ownership with a view to democratising the distribution of

environmental risks and reintegrating the economy into society (Annecke et al. 2021).

Another way of considering a just transition is through the growing literature on human rights approaches to transitional justice and what has become known as the 'degree of ambition' of the parties involved. Montmasson Clair (2021) describes three dimensions of transitional justice: procedural distributive justice and restorative justice. Procedural justice focuses on form and is about driving an inclusive process in order to give voice to the marginalised in decisionmaking. Social dialogue is key in this process and should focus on reaching consensus amongst stakeholders. The second area he outlines is distributive justice which speaks to the allocation of resources and risks and who should pay for these. This is at the heart of the just transition and three areas are defined: i) labour market policies which can support the transition through reskilling, small business support and worker benefits such as retirement packages; ii) Industrial policy that can drive a domestic green economy agenda; and iii) social protection policies which include health insurance, social grants and other financial safety nets for workers. The third dimension of transitional justice is restorative justice which takes into consideration past, present and future damages to those impacted by high emissions and the transition to low carbon and provides a means to rectify this (Montmasson-Clair 2021). Furthermore, the author argues that the degree of ambition will affect the outcome and depends on how conservative and constrained planning will be.

He maintains that in South Africa ambition is systemically curtailed and this effectively means support of the neo-liberal capitalist system and the minerals energy complex.

Montmasson Clair's assessment highlights the entrenched challenges to a just transition in South Africa. This approach is also highlighted by van Niekerk and Padayachee (2021). They argue that with democracy the ANC chose to adopt and support the existing neo-liberal

capitalist economy that was heavily tied into the energy intensive and mining industries of the country.

Whilst the new government supported the concept of redistributive policies that would address some of the legacies of apartheid, it adopted contradictory neo-liberal, market driven economic policies. The implications of this are that the "old corporate juggernauts that had dominated the modern SA economy since the mining revolution of the 1880s retained their power, mobility and influence" (Van Niekerk and Padayachee 2021). It also means that a 'transformative' just transition, the restructuring the entire system of production and ownership with a view to democratising distribution the environmental risks and reintegrating the economy into society - will not only take considerable time and work to achieve, but will require a political and economic desire to do

While the approach and manner through which to achieve a just transition continues to debated. the Presidential Climate Commission (PCC) (established in 2021 by President Ramaphosa as a continuation of the National Planning Commission work on developing pathways for a just transition), provided the country's overarching definition of a just transition. This definition has been further refined through a NEDLAC 2021 process¹, reaching a consensus developed specifically for the Climate Change Bill (Parliamentary Monitoring Group 2018) passed by parliament in September 2021 along with the revised Nationally Determined Contributions (NDCs) which approved South Africa's negotiating position for COP26 in November 2021. The definition of just transition used in government engagements reads [a just transition is] "a shift towards low carbon, climate resilient and ecologically sustainable economies and societies which contributes to the creation goals of decent work for all, social inclusion,

and the eradication of poverty". A just transition should ensure that those most affected by the transition, particularly the poor and disadvantaged, will not bear the brunt of the transition and will be part of the decision making process going forward.

The notion of public participation as intended in the Constitution and almost all government departments is brought to the fore in the concept of a just transition (NEDLAC Task Team 2021). It is important to note that R131bn has been committed in the form of grants and concessional loans to South Africa by the US, UK, Germany, France and the EU to support South Africa's just transition at the UN climate negotiations in Glasgow (COP 26). As a result, President Ramaphosa has announced he will chair the inter-ministerial committee to coordinate the country's just transition plan and how the finance can support the transition (Marianne Merten 2021).

This paper attempts to contribute to the fluid and contested nature of the debate on a just transition in South Africa by mapping the entrenched historical implications of coal use. overlaying these with a description of some of the policies developed to address energy and climate change and analysing the extent to which current social protection policies, designed to facilitate well-being, might be harnessed towards a more equitable society and a just transition. The assessment is then applied in a case study of Steve Tshwete Municipality (a typical coal mining area in Mpumulanga province where the negative impacts of coal mining are evident). Change is happening and we look for some green shoots of possibility in the case study as well as the challenges.

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¹The National Economic Development and Labour Council (NEDLAC) is a platform for the key constituents to engage and co-operate; government, labour, business and community organisations. They negotiate on developmental issues and challenges facing the country

Part 1 provides the historical context of the political economy of the country in order to frame and understand the extent to which the minerals-energy-complex dominates the economy and the challenges associated with managing inequality and a low carbon transition. We outline some of the environmental and climate challenges that the country faces as a consequence of its dependence on coal.

Part 2 provides the social and political context for a just transition: an overview of the institutional framework, the key energy and climate change policies in place for national and provincial government and a consideration of the extent to which these are implemented and address the challenges described above.

Part 3 provides a definition of social protection followed by a summary of the social policies currently in place in South Africa and a brief critique of these.

Part 4 explores and evaluates the efforts of Steve Tshwete municipality to implement and manage changes in the economy and climate while not having full control over either the resources required or social protection policy.

Part 5 concludes the study with a broad analysis of the extent to which social protection policies can assist in the just transition process and provides some pointers in the direction of a way forward.

1. Political Economy and the Just Transition

For more than a century, South Africa's economy has been built around a mineral-energy complex (MEC) that continues to dominate much of the economy. This includes mining, energy and related manufacturing and industrial sub-sectors all underpinned by coal (Fine and Rustomjee 1996).

In mining regions such as Mpumalanga, which is home to most coal mining and coal fired power stations in the country, towns were built around the mines and industries providing both formal and informal employment to those who settled there. Governance was minimal in the new territories and as mining companies increased in power and wealth, they provided housing and social services for their workforces according to the social and labour hierarchies of the time. This meant high offices of privileges and wealth for whites and compounds of single sex overcrowded hostels and slums for black workers. The nature of the compounds meant that mine workers were not expected to settle permanently. Their families remained in rural areas providing the backbone of support and food. This system of migrant labour provided a regular supply of cheap labour and this socio-economic organisation became entrenched throughout South Africa in spatial patterns and legislated separateness. After 1994, the democratic government and the trade unions were in favour of dismantling the compounds which meant that the mining companies were able relinquish their minimal social protection liabilities and responsibilities with regard to the work force. This 'normalisation' of mining towns has had unexpected and deleterious consequences for miners and their communities (Lochner Marais et al. 2021). Mining companies have withdrawn and are spending less on housing, fringe benefits, recreation facilities and health services, while the government and local government in particular, have not taken up the responsibilities of providing adequate housing and basic services. The result is that general living conditions have deteriorated and the lack of new housing has contributed to the growth in informal settlements in the Mpumalanga region (Cloete and Marais 2020).

Notwithstanding the deteriorating conditions, coal mining continues to be the backbone of the energy sector and generates 95% of South Africa's electricity which is controlled by the monopoly power utility Eskom. Coal to liquid fuels are manufactured by Sasol and together Eskom and Sasol account for over 50% of the country's greenhouse gases (GHG), in the process making South Africa the 13th highest global carbon emitter (Deloitte CIS 2020; GreenCape 2021b). A substantial amount of the country's electricity outside of the energy intensive industry sector is consumed in the built environment in urban centres which comprise the residential, government and commercial sectors. Based on 2017 data, the State of Energy Report shows that the twenty cities in the study accounted for 38% of the country's total energy consumption, 54% of national electricity demand and 29% of all emissions (Sustainable Energy Africa 2020). Although as the study demonstrates, most emissions are found in the built environment, at least half of total energy demand comes from the transport sector.

This is due to sprawling and growing cities, poor spatial planning and public transport systems. A just transition would therefore also have to address public transport challenges and spatial form.

Eskom is faced with an unsustainable financial and debt crisis largely due to years of state capture and corruption. It has been plagued by poor supply planning and power shortages and seen a decline in demand largely due to price increases. The power utility is committed to driving renewable projects. Many power stations are reaching the end of their life and with a national and international drive to

lower emissions renewable energy spaces are opening (Eberhard and Naude 2017). In line with this and driven from the presidency, Eskom is in the process of unbundling their monopoly on supply, transmission and distribution.

Once this is undertaken it could have a further positive impact on the uptake of renewable energy. Currently 184 municipalities are licenced to distribute electricity but until very recently did not have the authority to buy electricity freely from independent power producers. The regulations around this are changing although slowly. In June of 2021 President Ramaphosa announced that regulations would be amended to exempt 100GW of RE from requiring a licence. The amendments to the Electricity Act have been published although this only applies to financially stable municipalities and their undertaking a feasibility study. Some municipal officials have said there are some areas of confusion in terms of implementing this exemption.

The intention to bring renewable energy into the mix can be traced back to the 2003 White Paper on Renewable Energy followed by the country's Integrated Resource Plan of 2010-2030 (first the IRP2010 and then updated IRP2019). The IRP2019 whilst advocating an energy mix largely dominated by coal and nuclear does advocate an intention to secure 42% of new energy generation from renewable energy by 2030 equating to 17 800 MW (GreenCape 2021b).

The Renewable Energy Independent Power Producer Procurement Programme (REIPPPP) launched in 2011 has been hailed globally as very successful. As at June 2018, the Independent Power Producer Office, that oversees the programme reported that the total investment (project costs) in REIPPPP assets was R 201.8 billion, of which R 48.7 billion was from foreign investors and financiers (Deloitte 2019). The programme has resulted in jobs and socio-economic local development. Importantly the price of solar PV and wind have dropped by as much as 70% since the introduction of the REIPPPP (GreenCape 2021a; SANEDI 2021). A total of 6 300 MW renewable energy generation capacity has been procured across the country of which 2 400 MW has been connected to the grid under the REIPPPP. Some of the constraints to connecting to the grid have been to do with poor infrastructure and grid capacity. Despite these developments the scale of change remains slow, in part because of vested interests and the regulatory space not enabling such change. The minister of the Department of Mineral Resources and Energy (DMRE) is advocating coal and gas and is to a large extent blocking a roll out of renewable energy. The costs are highly competitive and the scope for developing local industry within a just transition framework is clear as noted by the South African Renewable Energy Master Plan (SAREM) discussion document outlines (GreenCape 2021b). Whilst there are policies and frameworks supporting a just transition and low carbon future, the capitalist and neo liberal system underpinning South Africa's political economy will hamper implementation as discussed in more detail in the next section.On the other hand coal phase out is a reality and this is driven by a reduction in international demand, power stations reaching the end of their life cycle and an international and national drive to lowering emissions and following a just transition. In 2017 the electricity utility Eskom announced the closure of 5 of its power stations as they reach the end of their useful terms (Strambo, Burton, and Atteridge 2019). This is and will have an enormous impact on coal mining jobs across the value chain and in both the formal and informal job sectors particularly in Nkangala and Gert Sibande Districts in Mpumalanga where 80% of coal mining activities are to be found (Hermanus and Montmasson-Clair 2021). Generally, mine workers earn more than the average worker in the formal economy with better social protection benefits. This further complicates the picture in South Africa because of the very high unemployment rate, miners are considered relatively well-off (see below). Diversifying the economy and in particular into renewable energy options, will create new jobs but this will not necessarily provide jobs for miners nor for those currently working formally or informally in the coal value chain. Thus the transition away from coal could further increase unemployment and poverty in coal regions such as Mpumalanga.

Providing alternative employment for those in the coal sector becomes a critical challenge and this includes not only mine workers but all of those involved in the coal value chain, truck drivers, power station workers, food sellers, informal builders, other informal providers such as transport for miners and so on. How to reskill and how to deliver jobs or provide adequate social protection for retrenched miners and others needs to be urgently addressed as current unemployment benefits and social grants will not meet the needs of those who lose their incomes.

In terms of the links between the social and environmental impacts of the closure of mines, the Eskom Just Transition office, which was established in 2020, has undertaken social impact studies on the closure of each of the power stations but has not made the results public so there is, as yet, little data available. The Constitution and the RDP recognise that everyone has the right to an environment that is not harmful to their health and prevents pollution and ecological degradation but Eskom's monopoly over electricity supply and government being intertwined with coal and the energy intensive nature of the economy make it difficult to enforce this. Despite air quality and emissions standards and regulations both Eskom and Sasol negotiated non-compliance which has contributed to the destruction of the Mpumalanga region. Currently air, water and land pollution are severe (Hallowes and Munnik 2019). There has not been sufficient research on the health impacts of mining and coal fired power stations. However, there is clear evidence of premature deaths, asthma and other lung diseases as well as illness from water (groundWork 2017).

The climate is changing and it is unequivocal that it is caused by human activity and in particular the reliance on fossil fuels globally. South Africa has already experienced extreme weather conditions, drought and changes in its eco systems. It is well documented that limiting warming to below 1.5 degrees will not help parts of Africa where warming is expected to be substantially higher if change is not undertaken as a matter of urgency (Tollefson 2021). The recent discussions emerging from Glasgow COP 26 further highlight the crisis and need for all countries to act urgently. The changing climate and need to transition to a low carbon economy will affect people negatively. Consideration has to be given to what else is needed to ensure that the vulnerable are not left behind but actually benefit from the transition – then it will be a just transition – not otherwise.

We turn now to an overview of the institutional framework and the key energy and climate change policies in the context of a just transition, and a consideration of the extent to which these are implemented and address the potential negative impacts of the transition to a low carbon economy.

2. The institutional framework and policies supporting a just transition to a low carbon economy and a climate friendly future

In this section we provide a brief overview of some of the key climate related policies in South Africa. We illustrate that the country is committed at the policy level to lowering emissions and doing this from a just transition perspective. However, there remain challenges around implementation, which ultimately will also curtail the social protection of the most vulnerable. This limited and ambivalent ambition can in part be explained by the fiscal and governance structure of the three spheres of government.

The institutional framework for government is provided by South Africa's first democratic Constitution of 1996 which enshrines the principles of democracy and outlines the objectives and mandates of the three spheres of government: national, provincial and local. Each sphere is seen as having distinctive and independent responsibilities. Key to the system working is that the spheres should operate in a collaborative and co-operative manner. National government provides the umbrella guidance and local government is the developmental arm of implementation with the provinces being the link between the two spheres. The sub-national or local level is made up of 9 large metropolitan municipalities across all 9 provinces and many smaller and secondary local governments, some of which are supported by a district municipality.

In addition, there is a Constitutional requirement for public participation and citizen engagement: those affected by policies and laws should be part of developing those very laws and documents. This is at the foundation of the country's democratic governance principles and is detailed in the public participation legislative framework of 2013 (South African Legislative Sector 2013). The preamble to this legislation traces how social movements and citizen engagement were instrumental in the country's democratic journey and should remain active in South Africa's development and growth going forward. The Freedom Charter which was adopted in 1955 was borne out of engagement during the struggle against apartheid. It was about people stating their grievances and campaigning against punitive laws. It was an aspirational document that called for the restructuring of South African society and civil rights amongst others and many of its key principles formed the basis of the 1996 Constitution and the Reconstruction and Development Programme (RDP) of 1994 which was in many respects the first overarching plan for the country. It too was the result of a people driven and consultative process that called for "an integrated, coherent socio-economic policy framework and the building of a democratic, non-racial and non-sexist future" (Parliament of South Africa 1994). Central to the RDP were the concepts of integration, sustainability, reconstruction and development with the aim of improving the lives of all people with people. Providing basic services and social protection and welfare were at the forefront, particularly as this had been denied to most of the population during apartheid.

Similar values as well as a focus on a healthy environment are to be found in National Development Plan (NDP) 2011 (National Planning Commission 2011). The NDP was hailed as the first national democratic plan to serve as both the umbrella and foundation of all future frameworks, plans and strategies to be produced in the country. It is a long term development plan to 2030 dealing with the economy, housing, health and education (amongst many others) as well as governance and a capable state. As with the RDP, the NDP addresses a social wage including social grants and free basic services to improve the living standards of all citizens (Ledger 2021b). The chapter on the environment promotes a sustainable and equitable transition to a low carbon economy. Most important is that the plan seeks to reduce unemployment, grow the economy and in doing so reduce poverty and

inequality - all through engagements with an active citizenry. The NDP emphasises that its implementation is not about dictating to passive recipients but about bringing people on board.

There is a suite of policies within all three spheres of government, specifically addressing emissions, the high reliance on coal in our energy mix and climate change in support of international and national climate and low carbon agendas as well as talking to a just transition. At the national level there is a drive and rhetorical support for the concept of a just transition. However, to date there is no specific just transition policy per se, rather it is referred to in many frameworks illustrating the lack of coherence and ambivalence within the ruling party.

In terms of relevant policies, we begin with an overview of the **White Paper on Energy 1998** (Dept Minerals and Energy, South Africa 1998). Although an old document it is still important both in terms of a low carbon future and the discussion on social protection policies in part three. The ambition, which was repeated in multiple documents after 1998, was to promote affordable, clean and safe energy for all South Africans and this was to include small businesses and farmers (Ledger 2021). This paved the way for electricity and energy subsidy policies which are important in the discussion on a just transition and social welfare for the poor who cannot afford clean energy. As Ledger points out the White Paper was a guiding document and did not outline how affordable access to energy would be attained; this was to be undertaken by subsequent policies such as the Energy Act, the Integrated Energy Plan and others. Whilst it is still a relevant document with good intentions, it did not contain a clear implementation plan resulting in some loose ends that have not been tied up and resolved.

The Integrated Resource Plan (IRP) 2019, the country's long term electricity plan, includes renewable energy generation and distributed generation in the mix. Coal, gas and nuclear remain predominant in the energy mix promoted even today by the energy Minister as preserving jobs and managing peak demand. It is evident that renewables are competitive in price and could quickly plug the supply gap in the system. There have been calls for the IRP and Integrated Energy Plan to be reviewed urgently in light of Eskom's debt and supply crisis as well as the country's transition imperatives.

The challenges of protecting vulnerable groups that may lose their jobs or livelihoods as a result of changing energy and climate change impacts, related either to physical effects or to the transition to alternatives job losses have been recognised and explored in **The Sector Jobs Resilience Plan (SJRP): National Employment Vulnerability Assessment (NEVA) 2019** (Trade and Industrial Policy Strategies 2019). This plan provides an assessment of climate change impacts on businesses, workers and communities in key sectors such as coal, metals, petroleum-based transport, agriculture and tourism. It explores the opportunities for green jobs and industries whilst acknowledging the uncertainty on timing and resources. The report identifies various measures and actions to support the transition to a low carbon economy with a focus on vulnerable groups. This report is key to a socially and environmentally just transition and is an example of the government's ability to plan and is cognisant of its social responsibilities but there is as yet no strategy for systematic implementation.

Another document that shows evidence of the state's capacity to plan is the updated **2020 Nationally Determined Contribution (NDC)** (DFFE 2021b) which supports a low carbon growth path that endorses and aligns with global commitments to keep temperatures rising above 1.5 degrees compared to preindustrial levels. The 2018 (IPCC 2018) and in particular the latest IPCC report 2021 makes it clear that we are now entering 'a code red for humanity' (IPCC 2021). The NDC reinforces a just transition pathway and states that it is central to implementing climate action which will ultimately ensure social protection to maintain livelihoods for the poor and workers. Again current debates about the need for continuing coal mining or invest in renewables result in a stalemate of inaction rather than moving the country towards energy security in a just transition (Todd and McCauley 2021).

Penultimately for our purposes here we draw attention to **The Climate Change Low-Emission Development Strategy, 2020** (Ica 2020) which was developed as part of supporting and ensuring that South Africa's NDC and commitment to the Paris agreement is implemented through a low emissions

strategy which builds on previous work and plans already established. Whilst the focus is on mitigation the strategy takes cognisance of adaptation and resilience needs and supports the just transition process. It identifies three phases of a just transition in terms of ambition and supports the PCC and NPC processes.

Lastly the **Climate Change Bill** (DFFE 2021a) which as noted above has just been passed by Parliament, provides the legislative and institutional coherence needed to support the country's just transition towards a low carbon and climate resilient society as well as upholding its international commitments in relation to climate change. As with several other policies it calls for alignment and coherence between all three spheres of government. In practice this is not happening as will be shown below.

Other national climate significant documents include the National Greenhouse Gas Emissions Reporting Regulations, 2017 which introduced a single national GHG emissions reporting system; the National Climate Change Adaptation Strategy 2020, which supports the country's ability to meeting its obligations in terms of the Paris Agreement on Climate Change and focuses on plans to reduce vulnerability and strengthen adaptation and climate resilient strategies. The Draft Climate Change Response Strategy for The Water and Sanitation Sector, 2019 and the Climate Smart Agriculture Strategic Framework, 2018, are intended to assist in the challenges the country faces in terms of water, sanitation and agriculture. Considered as a whole national policy provides adequate preparation and protection for the energy transition and the climate changes that are on our doorstep.

The constitutional mandate for provincial government includes social services such as education, health and social development which includes social grants. Provinces are also responsible for natural resources and the environment, roads and human settlements amongst others. The role of province is to facilitate and support local government as the implementation arm of national umbrella policies. Each of the nine provinces has a range of policies and frameworks that are aimed at building a green economy, resilience, mitigating against climate change and at the same time focussing on reducing poverty and inequality particularly through social transfers. For instance, Mpumalanga province which is where Steve Tshwete is situated (the case study discussed below) has the following policies that deal explicitly with the climate change: Provincial Climate Change Risk and Vulnerable Assessment Report, Provincial Climate Change Adaptation Strategy 2016, Climate Change Mitigation Strategy, Air Quality Plan, Integrated Waste Management Plan, Environment Outlook and Biodiversity Sector Plan. The Department of Agriculture, Rural Development and Land Administration is working on a Just Transition framework for the province which should provide the overarching framework for bringing climate change and a low carbon economy under one umbrella. This will ultimately be driven by the Premier's Office and could have a substantial impact on work happening within the province. It is worth noting that the Economic Development and Tourism department is engaged in developing a green economy cluster indicating the extent of activity around planning for the future. The challenge will be to integrate social-environmental ecosystems in order for the transition to be sustainable.

The policies above illustrate South Africa's capacity to understand what is required to manage a sustainable ecosystem and develop relevant policies to do so. The challenge for the country remains in the sphere of implementation. In part this is because policies are driven by specific departments such as environment, energy, social development and so on. The manner in which different government departments within the three spheres operate and the fact that they have specific key performance areas, mandates and levels of accountability has restricted the extent of alignment and co-operation across their work. This is particularly relevant at the municipal level and will be discussed below in the case study. National government departments such as DFFE are strong and have a long history of innovation in the climate space. They are actively engaged in the international arena as well as having done good work at the municipal level. In 2018 the then National Department of Environmental Affairs (DEA) undertook a study on the readiness of municipalities in implementing and working on climate and energy issues. The study included workshops across each province and what they found was that most of the metros were quite advanced in terms of policies and capacity around climate change, electricity and energy whilst many less well-resourced municipalities were found to

be lagging far behind in relation to financial and human capacity and political leadership (DEA Local Government Support Programme).

The DMRE and former DoE on the other hand have not been as innovative in the policy space. The challenges around implementation will also curtail the social protection of the most vulnerable especially in peri-urban and rural areas.

In order to achieve a just transition, all three spheres of government need to ensure consistency in their work relating to climate change. Neva Makgetla in her paper on governance and the just transition advocates the need for dedicated agencies to facilitate the change as well as streamlining responsibility across state agencies (Makgetla 2021).

It is important to note that from the outset of the new democracy the concept of public participation, cooperation and alignment within and between the spheres of government were considered to be fundamental. Yet in practice neither is happening in the manner envisaged and this has impacted on the scale of implementation of government policies generally. The public is invited to comment on Bills when they are presented to parliament but few people have access or capacity to do this. At the local level a study undertaken in the Western Cape on the extent to which communities are engaged in decisions on access to electricity found that whilst public participation is happening it is largely presented as a once-off activity rather than a meaningful exercise; in other words it is generally perceived by officials and communities as a tick box practice instead of engagement that leads to change and ownership by all (Wolpe and Halsey 2020). Often officials undertake public participation because it is a requirement and do not understand why or the objectives of involving communities in policy making and how to communicate effectively. Similarly, communities are constrained in terms of resources to engage. Furthermore officials have to follow deadlines that do not allow for adequate consultation (Makgetla 2021). This is another example of the disconnect between policy intention and implementation. The vested interests and dominance of the MEC in the economy can in part explain the lack of implementation of many of the pro poor and climate and energy policies and the finding that the pace of change does not match the policy intentions. The state will be hamstrung to institutionalise social policies that conflict with the economic system and power relations that support such a system. A just transition will need to address these conflicting and opposed modalities and engage with the political economy systems that are in place. This will need to be done through a participatory process and working through hard conversations. It has been difficult to hold the state accountable to these principles, as we describe below. Our analysis points to a lack of alignment across the spheres of government, lack of leadership and political will.

3. Social Protection Policies in South Africa

Having provided the historical context of South Africa's dependence on coal and resulting high GHG emissions and presented key energy and climate change policies, we now turn to exploring the social protection policies that are in place in South Africa and the extent to which they function. Internationally social protection policy is concerned with the ways societies provide for a wide variety of human needs that are recognised as shared, but are not routinely met, so that intervention is required towards equitable wellbeing. Social protection is commonly understood as:

'All public and private initiatives that provide income or consumption transfers to the poor, protect the vulnerable against livelihood risks and enhance the social status and rights of the marginalised; with the overall objective of reducing the economic and social vulnerability of poor, vulnerable and marginalised groups' (Devereux & Sabates-Wheeler 2004).

Devereux has argued that South Africa's social protection system is exceptional not only because of the extensive coverage, relative generosity and efficient delivery of its social grants, but also because these grants are underpinned by political commitment and legislated rights. Uniquely in Africa, the social protection agenda has been government-led, driven by domestic civil society rather than external donors, and enforced by a justiciable 'social contract' established in the constitution (Devereux 2011). South Africa has had to address the characteristics that result in it being the most unequal society in the world (Statistics South Africa 2019a). As a direct result of apartheid, poverty, inequality and unemployment are racialised and impact the vast majority of the population so that social protection is essential (Gumede 2019). Post 1994, almost all policies developed in South Africa, whatever the sector, take into account the historic socio-economic and political disadvantage of black people in their homeland. The elements of caring and social inclusion evident from the Freedom Charter and Reconstruction and Development Programme are followed through in the current social protection policies. In particular the overall goal of the social protection policies is to transform society at every level with the aim of "meeting the basic needs of all, redressing the racial inequities in the apartheid welfare system, and enabling the upward mobility of the poor" (van der Byl 2014). The approach of the White paper on Social Welfare (1997) sought to strike a balance between rehabilitative, protective, preventive and developmental interventions.

This intention is included in the budget: according to World Bank data, in 2018 South Africa had the highest level of annual welfare spending among emerging countries (3.5% of GDP), compared to Brazil (1.5%), Colombia (2.8%) or China (1.2% in 2016) and among African countries, Kenya (0.4% in 2017) or Nigeria (0.3% in 2016) (The World Bank 2018).

Over the years South Africa has developed a social security system based on the constitutional right and composed of three pillars: non-contributory schemes, including targeted social assistance and public employment programmes, mandatory social insurance, and voluntary insurance. We enumerate these briefly.

- Social assistance provides transfers in cash to individuals or households to which the beneficiaries have not contributed; for example, grants, vouchers, feeding schemes, public works programmes, fee waivers for health and educational services, and subsidies for water and fuel.
- 2. **Social insurance** entails contributory agreements which provide compensation and/or support in the event of illness, injury, disability, maternity/ paternity and unemployment;
- 3. **Social care services** provide for those who have been abused, exploited or discriminated against;

4. Labour market programmes ensure minimum employment standards and wages or promote participation in the labour market (from Carter et al 2019)

The primary form of social assistance is direct income support provided by the following grants:

1 /	The printerly retrieved as assistance to an extinuorne support provided by the folia				
	Grant intended for	Who can apply	Amount per month		
		Parent or primary caregiver of			
Child Support	Support to caregivers of	children age 18 and under.	D400		
Grant	children in need	SA citizens + permanent residents +	R460		
		refugees			
Foster Child Grant	Income support to	Foster parents of children under 18			
	caregivers of children in	or up to 21	DIOEO		
	foster care (a court order	SA citizens + permanent residents +	R1050		
	is essential)	refugees			
	Income support to				
	caregivers providing	B			
Care	permanent care to	Parent or caregiver or foster parent			
Dependency	children with severe	of children from 1-18years old	R1890		
Grant	mental or physical	SA citizens + permanent residents +			
	disability (must have a	refugees			
	medical assessment)				
Olalan Bana an'a	L	60 years and older	Dioco		
Older Person's	Income support to older	SA citizens + permanent residents +	R1890		
Grant	men and women	refugees	R1910 (over 75)		
	Income support to older				
War Veterans	men and women who	60 years and older	D1010		
Grant	served in the 1st, 2nd or	SA citizens + permanent residents	R1910		
	Korean war.				
	Income support to people				
	(already getting Older				
Grant-in-Aid +	persons, War veterans or	60 years and older	D 400		
	Disability grant) who	SA citizens + permanent residents	R460		
	need full-time care from				
	someone				
Temporary Social	Unomployed people who				
Relief of Distress -	Unemployed people who receive no other	SA citizens + permanent residents	R350		
also became the	government assistance	18-59 years	KSSU		
Covid Grant	government assistance				
		Parent or primary caregiver of			
Covid Care-	Caregivers receiving a	children age 18 and under.	R500		
givers Grant	child support grant	SA citizens + permanent residents +	1.000		
		refugees			

Updated by the authors from https://legal-aid.co.za/wp-content/uploads/2020/03/Grants-at-a-alance-202021.pdf

In 2017 there were 17 million people who received some form of social grant but since only 7 million earn enough to pay tax (Leibbrandt and Green 2017), the long term sustainability of grants has been

questioned (Rossouw 2017). This has been further exacerbated by the COVID-19 pandemic (below) when the Covid grant extensions cost R27 billion (Mboweni 2021). However there is irrefutable evidence that cash transfers have reduced poverty in South Africa (Devereux 2011). Many households would not survive without the support of pensions, child support, care and fostering grants, and disability grants. Grants have enabled children to be fed and go to school (Granlund and Hochfeld 2020)Patel 2012, Coetzee 2014), and afforded the elderly and disabled some dignity and independence (Ardington and Hofmeyr 2014). But while cash transfers 'put bread on the table' they do not on their own generate structural changes in, for example, gender or power relations (Patel, 2012) or transform the society as was originally intended. Further interventions would be required to do this.

From 2019,the Covid-19 pandemic exacerbated the already parlous conditions in South Africa in terms of loss of jobs, incomes and livelihoods as well as other social disruption and death. Stats SA reported that 59% of households fell below the affordability threshold (set at R2,300 per month in 2021) during the lockdowns from March 2019 and almost half of South Africa's adult population of 35 million continue to live below the breadline (Toyana 2021). Shifa et al. (2021) report the influence of spatial geographies on vulnerability and inequality that were highlighted by the COVID-19 pandemic and point out that rural populations are still the most vulnerable and require specific attention (Shifa, David, and Leibbrandt 2021). The inequities are stark: according to Orthofer 10% of the population own 95% of the wealth (Anna Orthofer in Leibbrandt and Green 2017), and nearly 50% of the eligible population is unemployed (Leibbrandt and Green 2017). These statistics, dire as they are, cannot describe the misery and hunger found particularly in rural areas where it is not unusual to have no food in the house: no tea-leaves, salt or maize let alone sugar, bread or milk (Annecke and Mohlakoane 2006) and no prospects for the future.

The government has responded to the socio-economic hardships of COVID-19 in a number of ways, chief among these has been the extension of social grants and unemployment insurance. During the pandemic the extension of social grants reached 41% of the nearly 60 million population or 18 million people (Dawson 2021) and Social Relief of Distress Grants reached a further 5.9 million (Bhorat and Köhler 2020) illustrating the vast need . This was among the highest social assistance packages in the developing world, yet poverty and inequality remain endemic and unemployment has increased post COVID-19 (Patel and Everatt 2021), with unemployment now reaching 48% among women (Statistics South Africa 2021). The temporary R350 unemployment grant is being received by more than 6 million people with little change in sight (Toyana 2021). Arguably prior to the Covid-19 pandemic, poverty was decreasing (Bhorat et al 2014) albeit unevenly across the country, but recent events have seen a deterioration in the conditions of the poor and vulnerable. In recognition of this, discussions are underway about consolidating all the grants into a Basic Income Grant (Devereux 2021).

While cash transfers constitute the backbone of the social assistance system in South Africa, there are other measures intended to develop an inclusive, "peaceful, just and caring society which will uphold welfare rights, facilitate the meeting of basic human needs, release people's creative energies, help them achieve their aspirations, build human capacity and self-reliance, and participate fully in all spheres of social, economic and political life" (Parliament of South Africa, 1997:Preamble). The policies in public health care, education, housing, energy and water as well as labour are mentioned briefly below:

Health care

South Africa ranks 49th out of 89 countries on the 2019 Global Healthcare Index. It is the highest-ranked African country, although it ranked below countries such as India, Sri Lanka, and the Philippines. South Africa allocated R62,5 billion or 8.1% of the 2021/2022 budget to health (Mboweni 2021). By comparison this is less than Brazil at 9.2% and Germany and France at 11.2%. South Africa has a two-tiered and highly unequal, healthcare system. The public sector is state-funded and caters to the majority - approximately 71% of the population, while the private sector is largely funded through individual contributions to medical aid schemes or health insurance, and serves around 27% of the population.

Half of the country's health-care budget goes to the private sector leaving the public sector is underfunded. The number of health care professionals working in the private sector outweighs that working in the public sector. In theory every South African has the right to access comprehensive healthcare services free of charge (Maphumulo and Bhengu 2019), but the quality of health care in the two systems is very different and racially skewed. More than eight out of ten black African-headed households usually use public healthcare facilities when a household member gets ill compared to one out of ten white-headed households StatsSA 2019) and in terms of chronic illness, black Africans have significantly less access to medical aid relative to whites (StatsSA 2019).

There has been some improvement in some areas of public health care over the last decade (Goudge et al. 2009); for example there are specific programmes for all pregnant and breastfeeding women and children under the age of six are eligible for free health care services at public clinics or hospitals; and the 7.7 million South Africans who tested positive for HIV are entitled to free antiretroviral treatment, the largest programme in the world (Dept Health 2021).

However the COVID-19 pandemic highlighted the unequal distribution of health care services between public and private health providers (Shifa, David, and Leibbrandt 2021) and generally the health care system fails to deliver affordable quality services (Maphumulo and Bhengu 2019). High rates of tuberculosis remains a challenge, with a high number of new cases and multi-drug-resistant cases, there are 4.6 million people on ARV programme, and many people die from respiratory system diseases, cancer and cerebrovascular disease; diabetes, hypertension, and obesity, which also presented as comorbidities during the Covid-19 pandemic (OECD 2020). Many public hospitals are in ruinous condition, management capability scarce and there are too few doctors, nurses and support staff (Maphumulo and Bhengu 2019). South Africa trains substantial numbers of healthcare workers at considerable expense to the state. Many of these are working abroad, but the possibility exists to have enough health care professionals in the system if conditions were more conducive to doing so (George, Atujuna, and Gow 2013).

Education

The Economic Survey 2020–21 reported that spending on education as a percentage of GDP stagnated at 2.8% during 2014–2019 and increased to 3–3.5% in the 2019–21 period. South Africa has about 30,000 schools, with approximately 26,000 receiving public funding. In theory most South Africans should be able to access free education, and by 2011, the Department of Education declared 60 % of schools in the country to be 'no fee' schools (Sayed and Motala 2012). However education is in a parlous state (Murungi 2015) and while there are 'no fee schools' particularly in poor and rural areas, most schools require some fees to be paid (Ahmed and Sayed 2009, Arendse 2011), and all schools for children with disabilities have fees between R350–R750 per term (Murungi 2015). Public school fees range between R8 000 and R36 000 a year. With an average household disposable income of R34 037 per annum (Statistica 2019) any fees would present a challenge especially for those millions without work. Those households that do earn an income often do not qualify for social protection but affording school fees on the average salary of R23 122 per month (Statssa July 2021) is a challenge. At tertiary level some of the burden may be lifted since in 2017 then President Zuma announced free higher education to all new first year university students from homes earning less than R350,000 a year (Muller 2018).

Although there have been some improvements particularly in retention rates, generally the quality of education is abysmal (Chisholm, Taylor and Wildeman 2012) with South Africa remaining at the bottom of the class in literacy, science and mathematics (McBride 2019); (Wangenge and Cloete 2008). Rural children are particularly vulnerable since many schools in rural areas still do not have access to water or decent sanitation, and infrastructure is inadequate and crumbling. Students report problems with over-crowding and access to text books (StatsSA 2019). The quality of teaching also needs to be improved (Motala 2001). It is difficult to see how children studying under inferior conditions could have an equal opportunity to make informed decisions about their futures. An improved public education sector is critical for mitigating poverty, inequality and unemployment in South Africa.

Moving on from health and education, other forms of social assistance are available through a housing programme for those who qualify as 'indigent', and in subsidies to basic services in particular water, energy and waste removal. In 2017 an indigent household was described as having an income of less than R3 200 per month although municipalities responsible for providing these services may describe other criteria. There is a significant literature that has developed around these issues, we outline the developments briefly.

Housing

In 1994 the Reconstruction and Development Programme proposed ways to address the immense social and economic inequities resulting from years of colonialism and apartheid. One of these was that housing and services would be provided for the poor. Housing is a national competency under the Department of Human Settlements, while basic services are provided at the municipal level. The National Housing Subsidy Scheme affords South African citizens who are first time home owners and earn less than R3,500 per household the opportunity to acquire a house that is built and provided by the government. These are commonly referred to as 'RDP Houses'. Some 3.2 million were built between 1994-2018 (Chakwizira 2019) providing housing for approximately 15 million people. However the backlog in low-cost housing continues to increase and currently stands at over 2.5 million (Scheba, Turok, and Visagie 2021) while challenges include identifying those who qualify as 'indigent' and measuring the success of subsidising a productive asset (Jellema and Goldman 2021). New build appears to be unable to keep up with burgeoning population (Chakwizira 2019). Criticism of RDP housing programme includes that the spatial geographies of apartheid have been perpetuated and entrenched, forcing poor people into vast ghettos on the peripheries of cities far from work opportunities and requiring expensive transport networks (Southern African Catholic Bishops' Conference 2017). In addition at least 18% of the houses are poorly built with weak walls and/or roofing (Scheba, Turok, and Visagie 2021), little insulation (Wolpe and Reddy 2010) and no consideration of social or outdoor activities. Housing activists, NGOs and academics have made many suggestions on how to improve social housing (Lizarralde and Root 2008; Jarbandhan et al. 2016). Implementing some of these, ensuring safe construction and safe neighbourhoods would contribute towards poverty alleviation.

National policy provides for free basic services to indigent households in formal and informal housing. The free basic electricity (50 kWh) or alternative energy policy is aimed at providing poor households with energy to alleviate energy poverty, and 6kl of water is provided free while sanitation and refuse removal are subsidised. The following table shows the amounts per basic service allocated through the Local Government Equitable Share, 2020/21². These services are budgeted for by National Treasury and would constitute a meaningful contribution to household well-being if they were regularly delivered.

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² The 1998 White Paper envisaged a situation of long-term equilibrium facilitated by the notion of the equitable share: local government would be allocated certain functions and responsibilities, and it would fund those partly Through own revenue. The shortfall that remained (and the White Paper was clear that there would be a shortfall on a consolidated basis across local government) would be funded through transfers to local government of a portion of nationally raised revenue under the equitable share system. In this way, the equitable share would be the critical tool that ensured (budget) equilibrium in the system, by ensuring that local government would always have access to sufficient financial resources to deliver its mandate in full (from Ledaer 2019).

Figure 1: Amounts per basic service allocated through the Local Government Equitable Share, 2020/21

Service	Allocation per household (R/month)			Total for the fiscal year
	Operations	Maintenance	Total	(R billions)
Energy	84.30	9.37	93.66	11.645
Water	130.38	14.49	144.86	18.011
Sanitation	96.21	10.69	106.90	13.290
Refuse removal	80.65	8.96	89.61	11.141
Total basic services	391.53	43.50	435.04	54.087

Source: Annexure W1 – Budget Review 2020 (p39) Amounts may not add up due to rounding

Stats SA 2020

Unfortunately the President himself admitted that most municipalities (80%) have repeatedly failed to perform their mandatory duties, including the delivery of basic services: the provision of electricity or alternative energy, water, sanitation and refuse removal (Merten 2021). Public protests have become the means to communicate dissatisfaction with municipal failures and, since the issues are seldom addressed, these frequently turn violent revealing alarming levels of desperation in poor urban (and rural) communities (Khambule, Nomdo, and Siswana 2021). Where services are delivered municipalities struggle to maintain infrastructure where vandalism and activities such as dumping in mains and sewers is rife (City of Cape Town 2021). Improving the provision of basic services and responsible use thereof is another area of public good that would assist in mitigating the misery of the poor and vulnerable and might be used to develop social cohesion.

Labour

With reference to social insurance in South Africa, contributory agreements which provide compensation and/or support in the event of illness, injury, disability, maternity/ paternity and unemployment are in place with employers and employees. Every employee pays 1% of their salaries to the fund, and employers match that 1% so that there is a monthly 2% contribution. If an employee has been registered and the contributions are paid, then that employee will be able to claim from the Unemployment Insurance Fund (UIF) that provides short-term relief to workers if they become unemployed or are unable to work. This mechanism has been useful in mitigating the impact of COVID-19 and as the end of January 2021, the UIF had paid R57.3 billion to 13.9 people

The loss of jobs is one of the most significant negative impacts of the transition to a low carbon economy. South Africa does not have a good record in creating jobs and particular effort will have to be expended in this regard. However there have been some successes: since 2003 the government has provided one of the largest public works programmes in the developing world in the form of the Expanded Public Works Programme (EPWP) (Mccord 2004). EPWP offers temporary work opportunities to unemployed, poor and largely unskilled workers towards income and poverty relief. Skills training is included in the programme and since its inception, the EPWP has generated over 8 million employment opportunities (ILO International Labour Office 2018). In 2021 the Minister of Finance announced that R83.2 billion had been made available for the EPWP and since 2020 Special Adjustments Budget an additional R11 billion has been made available for the Presidential Youth Employment Initiative, taking the total funding for employment creation to nearly R100 billion (Mboweni 2021). This meant that 938,688 people were offered work opportunities in 2020 (Hlatshwayo 2017). An advantage of the programme is that it has been able to offer employment to unskilled workers – of which there are many. Other positive consequences have been the skills development programme offered and that EPWP has provided the largest subsidy to biodiversity in the region, with positive

impacts in many areas and without which cities, conservation organisations and the national parks would be in dire straits(Annecke 2016).

During the COVID-19 pandemic the Temporary Employment Relief Scheme (TERS) UIF assisted workers affected by Covid-19 through existing benefits including illness, reduced work time and unemployment benefits (SARS 2021). Kohler and Bhorat show that while job losses adversely affected poorer households more than others, additional government spending on grants has been pro-poor, especially that of the Child Support Grant where 64% of additional spending on the Child Support Grant accrued to the poorest half of all households, as opposed to just 5.6% for the richest 20% (Kohler and Bhorat 2020). In addition, as part of a broader economic recovery process, the Presidential Employment Stimulus is using direct public investment to support public employment, job retention and livelihood support programmes. The intention is to provide direct support to participants and their families, but also acts as a stimulus in local economies, with spending mainly in township and rural economies (The Presidency 2021). To date with a budget of R13 billion, 552 835 out of a target of 694 152 beneficiaries have received support and 319 713 jobs out of a target of 434 237 jobs have been created (The Presidency 2021).

There is an extensive network of social care services that provide for those who have been abused, exploited or discriminated against or are disabled. However there is currently a severe shortage of social workers: according to a report by the Department of Social Development the number of available social workers in the country is insufficient to deal with the demand for social services (Department of Social Development 2009). A just transition would require increasing the capacity of this department to be able to assist those in need.

In 2019, prior to the pandemic, out of a total budget of R1.79 trillion, 14% was dedicated to social spending, 20% to education and a further 12% to health (Statistics South Africa 2019). Given the proportion of the budget dedicated to social policies and the potential to mitigate poverty, inequality and unemployment, it is troubling that South Africans receive so little value from the expenditure earmarked for social protection and that so many remain below the poverty line. Van der Berg (2006) argues that the reason so much inequality remains is the "massive degree of inequality in pre-transfer income". Furthermore he suggests that there is not much scope for further redistribution in the budget, and that scope for improvement in social protection lies in improving the delivery of social services (Van der Berg 2006). The amount of money lost through rent seeking behaviours (bribery and corruption) that are entrenched at every level in national, provincial and municipal government, as well as capture of state owned enterprises (SOEs) and cadre deployment has been estimated to be R1.5 trillion between 2014 and 2019 (Buthelezi 2021). Eliminating such practices will be critical to improve service delivery.

Social protection offered through public health, education, housing, social development and labour programmes is under severe pressure but could be improved to mitigate the negative impacts of the transition away from coal and a more just society.

4. Case Study: Steve Tshwete Local Municipality

In this section we explore and evaluate the efforts of Steve Tshwete municipality to implement and manage changes in the economy and climate while not having full control over either the resources required or social protection policies in place.

Local government is the developmental delivery arm of national government and is responsible for ensuring the delivery of basic services in their areas of jurisdiction. Municipalities are mandated to provide services to communities and particularly prioritise the poor in a sustainable manner and promote a safe and healthy environment. Municipalities must engage in developmental planning in the form of a five-year Integrated Development Plan (IDP). Local government, as stipulated in the Constitution, holds various powers and functions which include responsibility for air pollution, electricity and gas reticulation, water, public works, municipal public transport and municipal roads, street lighting and refuse removal ("Sustainable Energy Solutions for Local Government: A Practical Guide" 2017). Largely due to their cross cutting nature the municipal parameters around energy and climate change are not well defined and nor is there any guidance or mention of a just transition as yet. It is important to note that municipalities are not responsible for social protection other than those that impact on the provision of basic services such as free basic subsidies and housing.

Steve Tshwete Local Municipality (STLM) is one of 6 local municipalities within Nkangala District Municipality in the Province of Mpumalanga. As evidenced in their IDP their policies and strategies around climate change and planning generally try to align with provincial and national priorities.

A brief description of the demographics of the STLM

Steve Tshwete is the 7th largest municipality in the Province and comprises 20.6% of households in Nkangala District. In 2019 the estimated population of STLM was 317 187 people and by 2050 it is expected to reach 509 000. Between 2007 and 2016 the population had grown by 4.4% (ST IDP 2020/21). The number of households also increased from 64971 in 2011 to 86713 in 2016. The poverty rate in 2015 sat at 21% compared to the national figure whereby more than a quarter of the population were living below the poverty line (less than R585 per person per month for food alone) (StatsSA 2020).

STLM has two urban areas: Middelburg and Mhluzi which are the commercial, government and administrative centres. There are many small villages and towns some built around mines and power stations as well as farm worker villages. The municipality sits in a corridor between Richards Bay and Maputo making it a significant transport route for commerce, industry and tourism. Many large industries can be found in the municipality including Columbus Steel, 3 Eskom power plants (Arnot, Komati and Hendrina) and mining operations. Mining contributed 45.8% of GDP in Steve Tshwete in 2013 and 20.7% of employment and this is forecast to grow by 2022 despite coal phase out. Manufacturing in the same year contributed 17.2% of local GDP and 6.5% to employment (Steve Tshwete Municipality 2019).

STLM's current IDP offers a vehicle for examining their focus on low carbon and social protection as well as sketching some of the challenges they are faced with. Although STLM is developing a climate change strategy and has a number of plans that talk to climate change and energy specifically, the IDP remains their main planning tool.

The final 2020/2021 Integrated Development Plan (Steve Tshwete Municipality 2020) which forms part of the 2017-2022 5-year cycle was developed through extensive stakeholder and community engagement. It is the overarching plan that guides and frames all municipal activities. Now that the five-year plan is in place it will be reviewed annually to ensure that it is coherent and relevant. The intention is to accomplish the objectives of the NDP. It is concerned with social protection, the

economy, employment, environmental sustainability and building a developmental state. It talks about putting people first which is at the centre of the just transition and social protection approaches.

Whilst in general the municipality has performed well, a number of challenges and problems were identified in the IDP development process that speak directly to social protection and a low carbon agenda. There is pressure on housing availability given the growth in informal settlements and inmigration to the municipality. In 2016 14.4% of households were living in informal settlements. Thus the IDP identifies increasing backlogs in service delivery as a priority. In terms of electricity, water and roads it was recognised that aging infrastructure, over saturation and in the case of water, limited resources, present huge challenges in service delivery. The municipality is licensed to supply electricity which it does to formal townships and urban areas. Eskom supplies to rural households and farm dwellers. The 2016 community survey showed that 90% of households had access to electricity with the backlog mainly amongst backyard dwellers, informal settlements and rural areas (Statistics South Africa 2016). In 2017 the number of households without a formal electricity connection increased to 9452 compared to 532 in 2011. (Sustainable Energy Africa 2020). Whilst access to water and sanitation is relatively high, access has decreased given the growth in the number of households and population generally. In a recent webinar a STLM official stated that 86 000 households have access to basic services and 18 000 households receive free basic services (Webinar with STLM officials and politicians 31 August 2021). The IDP further identified high unemployment particularly in the youth category and high rates of HIV being a major problem.

The municipality is in a difficult position. The IDP is clear that the economy needs to move away from coal and steel and there is an awareness of the serious environmental and health risks associated with mining, coal fired power stations and the coal value chain including transport. While the economy is still very dependent on coal, the phase out has already begun: miners have started losing their jobs and planning for the consequences must happen soon. If the municipality doesn't act it will become a municipality characterised by ghost towns when livelihoods associated with mining are lost and people drift away to seek better opportunities. There is recognition of this; in a webinar previous Mayor Motsepe said that "coal used to be like having gold in your home but that is not the case anymore. Coal today is our worst enemy" (Webinar 31st August 2021).

Many of the towns in the municipal area were built around Eskom power stations or established around mines and STLM is still a mining economy with manufacturing and the down-stream industries also relying on mining. However, the local economy needs to be delinked from its over-reliance of the mining sector before it is too late. It is important to consider what will remain when mining and coal fired power stations have ceased?

It has been argued that there are opportunities to rehabilitate disused mines and coal fired plants and create other economies including renewable energy and Eskom is engaged in such projects (PCC meeting and presentation by Eskom July 2021). Komati power station built in 1961, has only one of nine units still operating and will be close in September 2022. Eskom has piloted solar home and battery systems and an agri-voltaic plant at Komati. The plant manager at Komati is excited by the prospects of change. This is a good opportunity for Eskom and the local municipality to work together to drive renewable projects as well as turning parts of this old power station into a museum as has been done in other countries such as Germany. Mafube mine which is situated in STLM has been engaged in repurposing some of the land around the mine there. Local farmers and workers have planted maize fields. The project is supported by the mine and run by a private company. The water and maize have been tested for human use since there has been a loss of biodiversity and water has been polluted by the mine.

The municipality is keen to engage in reskilling workers and building towards a green economy but they have limited resources and capacity. The intention is to be able to provide efficient and sustainable electricity to all its citizens, to develop integrated human settlements and create jobs(Steve Tshwete Municipality 2020). Research shows that other opportunities exist in terms of small

business development and spatial transformation: in providing a balance between nature, biodiversity, the built environment and access to decent housing, new ways of serving the people and a sustainable economy could be created (ST IDP 20/21). STLM is faced with managing the risks and opportunities of the transition: a difficult balancing act with few precedents to follow.

The municipality has a strong track record and driven officials working to make a better life for its communities. They have engaged thoroughly with their citizens in developing policies using various platforms available such as radio, community consultations, mayoral outreach and ward committees (Steve Tshwete Municipality 2020). Yet in speaking to people in the communities the people do not feel heard (community workshops in Steve Tshwete 7th October and 24th November 2021) and significant challenges remain. Participants at these workshops said they do not have access to electricity or if they do they can't afford to use the electricity. Water in many areas in the province is polluted by acid mine drainage (Theunissen 2018). The water from Komati and Hendrina power stations runs from stations into the river which affects agriculture. Mining is destroying agriculture and land. The air is polluted, homes are damaged by mining and blasting from open cast mining operations. People are unemployed and just surviving. Their health is compromised and many have respiratory diseases including children (Hallowes and Munnik 2019). Addressing these challenges and improving the delivery of basic services constitutes a formidable task and requires resources to match.

A critical problem is the differences in perceptions. The local officials feel that they are doing their best and the community as noted above do not feel heard and that their plight is not good. Addressing this situation is essential to a just transition. At a workshop in November 2021, the community and officials said that there is a need for better communication, awareness and education to help bridge this gap.

Social protection in place

To date STLM has attempted to mitigate poverty within its jurisdiction. Social grants are being rolled out in the municipality but this is handled by the Provincial Department of Social Development and administered through South African Social Security Agency (SASSA). Those who receive social grants have to be registered with SASSA. The administration of social grants is not a municipal function so that there is little that can be done at the local level to improve cash transfers. The municipality does employ social development workers but there are too few to meet the growing need for assistance.

The municipality delivers free basic services to residents who are on the indigent register and to be on the register they are means tested. All those who have received an RDP house are automatically placed on the indigent register and qualify for free basic services. In some cases people are receiving these benefits who should not be, and those who should be aren't. (Personal communication, Elsie Elsie Legabi, October 2021). This is an endemic problem for all municipalities. For instance, a person may have received an RDP house because they were on the register and at the time earning less than R3,500 per month but by the time they obtain a house they are earning above the threshold. Similarly, some people receive old age grants but are also getting pensions from the mines (Personal communication, Elsie Elsie Legabi, October 2021). It is very difficult for the municipality to manage this and ensure those who are deserving are receiving benefits.

Informal settlements have grown in mining areas where people have built shacks and these settlements become villages but they have no services because the land does not belong to the municipality and/or is not zoned for houses. Often the land will belong to the mining sector but provision of services remains a municipal responsibility. It is a challenge to provide services where the infrastructure does not exist for sewage, water and electricity. The communities demand services and there have been service delivery protests. There is little understanding of municipal line functions and what the officials can do in a resource constrained environment or if the official is not responsible for the problem being presented (workshops in Mpumalanga with communities and STLM officials

October and November 2021, (Wolpe and Halsey 2020)), This leads to frustration, the belief that no-one is listening and further protests.

The municipality has a special programme for women, children and people with disabilities. The programme is in fact much broader and covers gender, older people and HIV and aids. The programme is run by one official along with an assistant. Unlike province which has specific departments dealing with each area at the municipal level this programme is all encompassing which makes implementation hard. Not only must the official liaise with various forums linked to one area, they also deal with citizens with specific problems. The municipality is supported by South African Local Government Agency (SALGA) in developing guidelines and coordinating forums but resource challenges remain. In a recent workshop (November 2021) a ST municipal official said that they do not feel supported or listened to by national government and there is a lack of alignment at the level of policy and regulation. She added that there is a lack of communication overall which impacts on delivery and participation.

5. Analysis and the Way Forward

We have outlined the historical context for South Africa's intensive coal use, the energy and climate change polices developed to mitigate this, and the social protection policies currently in place to address the apartheid legacies of poverty, inequality and unemployment. The question remains as to what extent traditional social policies are able to cushion the shocks and mitigate the negative impacts of the transition to a low carbon economy. The intentions behind social policies and the notion of a just transition are essentially about caring for people: ensuring everyone is able to live a meaningful life in a sustainable ecosystem. To do this, people need the tools and mechanisms to be able to make informed choices. We assess the levels of protection and challenges in terms of:

- (i) Participation in social policy development and implementation;
- (ii) Social policy and the delivery of services;
- (iii)Social protection and climate risk;
- (iv) Social protection for jobs and livelihoods;
- (v) Social policy and ecosystem health;
- (vi) Challenges to implementation;
- (vii) Lessons from Covid-19.

(i) Participation

South Africa has a suite of social protection policies that have been in place since democracy in 1994. The essence of the Reconstruction and Development Programme (1994) was to develop an integrated plan within a growth trajectory that would create jobs, build houses provide basic services such as water and electricity, education, health and pensions. The objective was to create a programme that would offer social protection and better livelihoods to those that had been denied these rights during the apartheid years. Fundamental to developing the RDP was engagement with the poor, to hear their voices. It was a people driven process that involved an active citizenry with the concept being strengthened in the 1996 Constitution and many subsequent policies. For instance the White paper for Social Welfare 1997 (Department of Welfare 1997) talks of citizens participating in the development of an 'equitable people centred democratic social welfare system'. Some years later with the advent of the NDP this same message was further reinforced. Thus developing social protection policies and including citizens in decisions affecting their lives has been entrenched in government policy processes for many years. This is at the heart of the just transition process: in order to not leave those affected by the low carbon transition behind everyone should be engaged in the very decisions affecting their future.

However, in analysing the effectiveness of public participation since democracy it is clear that it has become a compliance and tick box exercise leaving communities frustrated. To really engage with communities, new processes need to be developed, such as building consensus, capacity building, improving awareness and developing constituent partnerships (Wolpe and Halsey 2020).

The conclusion is that while the intention is plain, genuine participation and communication need to be improved.

(ii) Social policy and the delivery of services

The primary focus of local government remains service delivery and social assistance and how this intersects with a low carbon economy and just transition is a challenge as has been noted in the Steve Tshwete case study. In recent years, there have been an increasing number of service delivery protests by poor communities because of the poor delivery of housing, electricity, water and

sanitation. Municipalities and in particular local counsellors and officials are under huge pressure, but for a variety of reasons they cannot deliver.

This is partly due to the fiscal framework of local government that is not sustainable in its current form. It was set up as the developmental arm of national government and to this end should provide services and serve the communities in their areas of jurisdiction. However, the fiscal framework is structured along neo-liberal lines. This means the municipalities rely on the revenue they receive, for example, from providing water, electricity and other services, to fund 90% of their work (eg parks and libraries) (Ledger 2021). The grants and transfers that municipalities receive from national government are not sufficient to provide free services to the poor including housing, water, electricity and sewage, and are not enough to develop and maintain infrastructure (Ledger 2021). How municipalities identify indigent or those eligible for free services, and those who receive them do not align (Ledger and Rampedi 2020). Because the transfers from national government treasury are not ring-fenced the money is used for other pressing municipal expenses.

As cities grow and as more people move into these centres in the hope of finding work and a better life, so municipal obligations increase with no extra resources. Electricity tariffs are set so that high end users subsidise the poor but as more mid to high-income households and businesses turn to rooftop PV the cross-subsidy revenue is shrinking. Thus, this revenue stream, which supports some of the municipal social protection plans, is increasingly being eroded. Ledger (2021a) highlights that "our local government fiscal framework represents a policy choice that should never have been made, because it wasn't ever a choice that existed in the real world".

Social assistance in the form of the energy subsidy is insufficient and threatens food insecurity. The Ledger report shows that the amount of free basic electricity and water received by households is not sufficient so that poor households are using the income grant to pay for these services thus they have less money for food. This is detrimental as there are high levels of malnutrition particularly amongst children. Ledger advocates a food first approach and that there should be higher levels of free electricity and water for all poor households (Ledger 2021a). Disappointingly, in the latest report Ledger provides figures showing that nationally 10 million households were funded for free basic services and yet only 2 million households received those services (Ledger 2021a). This highlights gross inefficiencies in serving those in need.

Thus although social policy provides assistance for housing, basic services, health, education and jobs, the full package is seldom realised. Efficient transfer of social assistance is critical. To mitigate poverty and job losses during the transition the delivery of social assistance would have to be improved and expanded.

(iii) Social protection and climate risk

Social assistance can play an important role in managing climate risks by addressing chronic poverty, providing support during periods of acute economic and livelihood disruption, and ultimately building resilience (Costella, Bachofen, and Marcondes 2017). It is evident that South Africa has social and climate relevant policies in place to mitigate some of the negative impacts of transitioning to a low carbon economy in a way that is just. Whilst these climate policies exist within all three spheres of government, implementation and the extent to which they achieve their desired goal within the just transition framework remains a challenge. At the local level, municipalities are faced with enormous human and financial capacity constraints which impact on their ability to deliver and this is the lived reality of most vulnerable people. Often large metros are better resourced and have better governance and institutional structures in place whereas secondary cities (which are fast growing), small towns and rural areas lack the means and revenue to advance a low carbon path.

Despite this some municipalities, including our case study STLM, are working on both developing climate and low carbon related policies and frameworks as well as integrating energy and climate change into their planning mechanisms and some have created specific departments or employed climate champions to manage this area of work. This is a promising area for expansion and implementation.

(iv) Social protection for jobs and livelihoods

A basic level of social protection in the coal phase out process relates specifically to the future livelihoods of mine and power station workers which would include reskilling and future employment and retirement opportunities. What also needs to be addressed as a matter of urgency are the health and general livelihood challenges of the people living in the coal towns of Mpumalanga, both those who have worked in the coal value chain and those who are unemployed. A just transition must link the unemployed to protection and training.

South Africa will have to transition to renewable energy to meet the energy demand and reduce environmental impacts and jobs will open up in the renewable industry and downstream value chain. However, these jobs will not necessarily go to miners or workers in the mining value chain, this is where social protection needs to be enhanced to make sure they are not left behind. Well run EPWPs can offer job opportunities, education and training and a significant and much needed subsidy to biodiversity programmes of restoration and rehabilitation.

(v) Social policy and ecosystem health

Polices around biodiversity and the environment have also been developed but have not yet been given the attention they deserve and are a long way from being implemented. Rural vulnerabilities include limited access to land, livestock, human capital, public services and credit. The destructive circle in climate change leads to and perpetuates decreases in assets and investments, resulting in food insecurity and hunger. The erosion of the natural resource base makes women in particular vulnerable, increasing their investment of time in chores and tasks in particular where the mines have polluted the land, air and water destroyed the biodiversity.

Social policy can help to address this vulnerability, promoting the uptake of climate resilient and sustainable agriculture and livelihood strategies, supporting inclusive community initiatives. Other interventions may build resilience, reduce the pressures on ecosystems, introduce high quality seed and eco-friendly fertilizers and well as oversee the development of green infrastructure by EPWP programmes.

(vi) Challenges to implementation

A challenge to be addressed is that, as Gumede (2019) argues, that there is no comprehensive social policy in the country - there are specific policies for health and education amongst others but not a holistic and comprehensive policy for social policy and nor for that matter for the just transition. This needs to be remedied.

One of the obstacles to implementation of well- designed policies is the lack of alignment between the three spheres of government. How to develop and activate links between the spheres is a huge challenge. Each sphere has its own mandates and own hierarchy of management and leadership. Each official and politician is guided by their own key performance areas and mandate and there is a lack of understanding and support of their different positions. This has resulted in fragmented government institutions which cannot support the developmental agenda of post-apartheid South Africa. In her book *Mission Economy*, Marianna Mazzucato contends that governments are structured in such a way that does not encourage or foster innovation and out of the box thinking because of the silo approach that exists. What is required is better communication and collaboration between

constituents and between departments that enable such innovation. She states that "the more complex policy issues are, the more compartmentalised policymaking becomes, fragmented into different and sometimes competing government departments and initiatives" (Mazzucato 2021:75) This she says diminishes public purpose which is key to transformation.

A further challenge is that there is no one central place to drive the just transition and no discrete policy for the country, this leaves implementation and understanding of the policy and implementation strategies, fragmented.

Finally there are issues relating to trust and shared values. In South Africa there is a lack of trust between big corporations, the state, NGOs and communities. In particular, the COVID-19 pandemic has illustrated the state's defensiveness and unwillingness to accept and trust offers of assistance in supporting individuals, households, the health system and the economy. Initially the state insisted on controlling food parcels, centralising hospital health care, closing down the economy, refusing online sales of certain types of clothing and drinks, and refusing the help offered by mines and large retailers to vaccinate their employees. In the on-coming fourth wave there is some indication that the government may enter into dialogue with corporations and NGOs. Developing these partnerships and dialogues will be essential in mapping a way forward including developing innovative investment platforms, partnerships with other institutions and reviewing and revising the legislation and regulations to strengthen measures for assistance for the poor and vulnerable.

(vii) Lessons from Covid-19

Unemployment increased during the Covid-19 lockdown. If we track the additional grants made available for the poor since the early stages of the lockdown, statistics show that the supplementary grants alleviated the dire and increasing poverty. National government was able to increase benefits using the same infrastructure that delivers social assistance and social insurance. Four existing social benefits were amended and increased in this time. The Barnes et al (2021) study shows that poverty based on income measures declined with the increase in grants as a result of Covid-19 and they suggest improving social grants post Covid will help decrease poverty. The lesson (once again) is that social assistance can alleviate poverty and South Africa has the mechanisms to do this.

Way forward

"The Constitution pledges to heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights" (Review of Economic progress NPC 2020).

Work needs to be done to achieve this, all the more so in the face of the changing climate and need to transition to a low carbon economy that will affect some people negatively. Whether this is permanent damage to poor and unskilled people with few options, will depend on what actions are taken now to provide financial cushions, insurance for livelihoods and an inclusive society for those who are most vulnerable. Significant measures will have to be taken to prevent the exacerbation of poverty, unemployment and inequality. Current social policies, primarily in the form of cash transfers, have reduced dire poverty and the study has shown that there are many laudable policies and frameworks supporting a transition to a low carbon economy. However current implementation offers only the minimum protection and is unlikely to be able to plug the gaps that will open up due to water, food and energy shortages as a result of the transition and climate change. Consideration has to be given to what else is needed to ensure that the vulnerable are not left behind but actually benefit from the transition – then it will be a just transition – not otherwise.

Whether a just transition is approached through the affirmative /transformative lens or through a rights based transitional justice approach, there is a need to push for more ambitious approaches to transform the existing socio and political economic structures and systems paving the way for bottom up and socially owned systems to emerge. For this to take place we argue that all elements discussed in this paper need to speak to each other including the policies that support a just transition and climate change, social protection as a means of protecting those affected by the transition and strong political will which ultimately will enable alignment. Managing the process of a just transition to a low carbon and equal society will require significant resources of goodwill, imagination and creativity in public participation processes as well as financial muscle, re-skilling and determination. Special attention will have to be paid to the workers who can't re-skill or move, women, the elderly and children's welfare. A just transition will include addressing systemically unequal gender and power relations and enabling the vulnerable to be heard.

It will be essential to pivot the economy in which exploitation is central to one which puts wellbeing – of people and planet – at the centre. A just transition needs not only to consider the people and engage with them but also has to be accompanied by structural transformation. Work to be done includes identifying and filling the gaps to support those most vulnerable to the transition, determining how implementation can be strengthened and how can we can redistribute and change ownership of the economy. A just transition is only possible if the overall goal is human wellbeing within a sustainable world and this can only be achieved if the politics is right. Social engagement, communication and the need to change the narrative are high on the agenda. "We can only begin to find answers if we fundamentally restructure capitalism to make it inclusive, sustainable, and driven by innovation that tackles concrete problems. That means changing government tools and culture, creating new markers of corporate governance, and ensuring that corporations, society, and the government coalesce to share a common goal" (Mazzucato 2021).

What is required is a holistic and coordinated, cross-cutting approach; a recognition that a low carbon transition and social protection are part of the same package. The country must address the levels of poverty, inequality and unemployment but concurrently the country also must adapt to a low carbon pathway. It is only by doing so that we can hope to keep the increase in temperatures below 1.5 and ensure livelihoods of the poor are not compromised. The transformative role of social policy must engage with transforming not only the economy but also social institutions therefore a low carbon transition must include social protection. The role of the state will be key and forming partnerships will be essential. A holistic approach would also speak to more policy and planning coordination between the spheres of government as well as other key constituents such as civil society, labour, communities and industry. A framework to make the links visible needs to be developed.

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