Introduction

Good afternoon. I join the speakers before me in thanking the government of Ghana and the team of sponsors who supported the convening of this very important conference. I also thank you for the opportunity to share experiences address you today and acknowledge all delegates here present.

Structural inequality is a global phenomenon. It occurs in different forms across the world. Whilst causal attributions of structural inequalities tend to vary across countries and regions, it is widely recognised that historical patterns of inequality, domination and subjugation made a significant contribution to the inequalities faced by Africa today.

That said, it also has to be accepted that there are also a host of structural inequalities that were perpetuated or initiated by independent Africa herself. These include, but are not limited to, spatial inequalities that result in differential infrastructural development; inequitable economic policies that serve the interests of the rich, to the disadvantage of the poor; the configuration of political systems in manners that tend towards
reinforcement of power and class relations in society; and ethnic and racially-oriented policies that favour one group whilst limiting access of the other to access, participate, and enjoy economic and social opportunities and benefits.¹

The challenge and opportunity exists, therefore, for post-independent Africa to identify effective levers and vectors for ensuring that structural transformation happens. These vectors must address, at their core, the wellbeing of the greatest number of people, with fairness and equity. This is the conceptual premise on which I proceed. As I do, I recognise and acknowledge the divergence of paradigms in development discourse around definitions and indicators for development and inequalities in Africa. Many of these have already been adequately traversed in previous discussions, and I do not intend to re-examine these here.

The theme for this panel discussion is “Aligning political leverage, knowledge and social mobilization: strategies to promote a new agenda”. I intend approaching this very thought-provoking debate by briefly considering some of the key structural inequalities in Africa and then progressing to propose a few pivotal strategies for redressing these inequalities. Central to my proposition will be the important and transformative role that education can play in reversing the structural imbalances of the continent.

Without suggesting that important issues like health should be neglected and that education is a panacea for all of Africa’s structural challenges, my proposal is that education is not only a developmental imperative, but that it is also a facilitative human right that enables citizens to realise other

human rights such as health. Education opens multiple avenues for self-development. More importantly, education empowers citizens to make a meaningful contribution, and be participants in their own development and that of their respective countries and economies.

Since the advent of democracy, successive administrations in South Africa have increased the education budget. Despite these efforts, the bulk of South Africa’s children who attend public schools continue to receive poor quality education. There is a shared recognition, as articulated by the Minister of Education, that “the challenges confronting us remain substantial” (Department of Basic Education Annual Report, 2011). The challenges include ensuring that once enrolled, children are retained in the system and complete their education cycle, that they attend school regularly, that inclusion is ensured for marginalised children such as those with disabilities, and most significantly, that the poor quality of education and the inefficient use of educational resources is addressed. In the South African context, these challenges, especially those linked to quality and efficiency, present themselves along racial and socio-economic fault lines and continue to drive the high levels of inequity, poverty and patterns of under development that mark the current legal and developmental landscape. In short, the poor quality of education and educational outcomes, especially for poor black people remains one of the key development impediments facing South Africa in 2011. (National Planning Commission, 2011)

To support social accountability initiatives the SAHRC developed a Charter of Basic Education Rights which provides a statement of what is required in law (internationally, regionally and nationally) of the State to give effect to the right to all children in South Africa to basic education.

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2 Page 12
The Charter therefore supports all responsible role-players for the realisation of the right to basic education. Importantly in dealing with inequalities in among children this tool indicates why children in some categories may be best placed to do better than their counterparts in other categories.

Beyond my focus on education, I will also address other additional vectors for structural transformation. I will propose that an invigorated effort at enhancing legal, policy, regulatory instruments and institutional structures at one level; and scaling-up civil society mobilisation and involvement at another level, can collectively serve as a critical lever for the redress of structural inequalities in Africa.

**Perspectives on Causes of Structural Inequalities in Africa**

Inequality is not an amorphous phenomenon. It presents itself in a variety of forms. As has already been mentioned in this conference, it is evident in disparities in income levels, disparities in roles mainly as a result of gender and physical inequalities, inequalities in access to land and other natural resources, residential inequalities as a result of class, and so on; the list is inexhaustive. Despite variations in causal interpretations of these inequalities, the consequence is that they hinder the development of populations in Africa. These barriers are by their nature self-perpetuating and lead to people becoming trapped in cycles of poverty and underdevelopment. Unless a planned intervention occurs, these cycles and traps continue unabated.

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Development economists Anis Dani and Arjan De Haan broadly define these inequalities as ‘a confluence of unequal relations in roles, functions, decisions, rights, and opportunities’ ⁴ that serve to perpetuate exclusion of the already marginalised on the basis of a number of factors including gender; disability; socio-economic status.

A cursory look at key indicators for development indicates how these structural inequalities translate into poor wellbeing for populations in the continent. Economic reports show that Africans who live in extreme poverty, defined as those who earn less than $US 1.25 a day, account for almost half of the continents’ population.⁵ A reflection of food security status of Africa indicates that whilst Africa imports roughly $US 30 billion dollars in foodstuffs annually, large portions of Africa’s population still suffer from chronic hunger.⁶ In terms of sanitation facilities, indicators point out that only a small portion of sub-Saharan Africa’s population have access to necessary facilities.⁷ Studies on the accessibility of energy infrastructure to population indicated that underdeveloped infrastructure compounded by high energy tariffs contributed to low access to energy supply. Finally, micro-studies of a range of African countries carried out by the International Food Policy Research Institute indicate that women in Africa are disadvantaged relative to men in all measures of land ownership.⁸ These are some of the indications that the role that structural inequalities and social exclusion can play in perpetuating poverty and disempowerment.

It is this manifestation of inequality and poverty which needs to be addressed urgently if development efforts are to reach those who need them most. This also includes future generations who ought not to be unnecessarily disadvantaged by the perpetuation of systemic inequalities.

**Developmental Advancements in Africa**

Against this gloomy picture, I should hasten to point out that, in purely numerical terms, the continent’s fortunes appear to have shifted slightly. The African Development Bank projected that Africa would grow by 4.8% in 2013 and by 5.3% in 2014\(^9\) while the World Bank projects that Africa will grow by 5.5% in 2015.\(^10\) Beyond this, development commentators the world over have recognised the growing opportunities for developmental reform in the continent. Not so long ago, delegates will remember *The Economist* famously retracted its labelling of Africa as the ‘Hopeless Continent’ in 2011, and instead called the continent, ‘Africa Rising’.\(^11\)

What does all this mean? It suggests that the impressive economic growth prospects in Africa pose a demand and present an opportunity for leaders on the continent to ensure that economic growth results in equitable distribution and reduction of inequality, both in terms of outcomes and opportunities.

**Education as a Vector for transforming Africa’s Structural Inequalities**

My proposal is that more attention should be focussed on the education that the continent is delivering to its young. I premise this proposition on the facilitative nature of education. Education is an empowerment agent

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and is pivotal to unlocking opportunities for individuals to navigate their way through poverty traps.

In the first instance, education has the capacity to enhance potential earnings of an individual and GDP and GDP per capita levels at country level. In the second instance, education has the inherent potential of expanding labour mobility options for the individual. This dimension increases people’s control over their own development. Fourthly, and most critically, education has an equalising effect on gender imbalances; it expands women’s choices and capabilities and secures a place for women in participating in shaping their own and their nation’s transformation agenda. There can be little argument against the transformative and facilitative impact of education to redressing social and economic inequalities. Overall, a strong correlation exists between education outcomes and the achievement of all other socio-economic outcomes.12

Lorette Arendse, a South African human rights scholar and historian, explains this correlation as follows:

> Education ..... unlocks the enjoyment of other human rights and ultimately empowers a person to play a meaningful role in society. For example, an educated person has the ability to make informed political choices...education also plays a crucial role in the fulfilment of [other] socio-economic rights: [it] enhances a person’s prospects of securing employment, which in turn secures access to food, housing and healthcare services.13

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13 Arendse L “The obligation to provide free basic education in South Africa: An International Law Perspective” PER/PELJ 2011(14)(6) p97.
In very practical terms, education ensures that people are capable of being absorbed into the mainstream of the economy as well as into the arena of public participation in policy formulation and implementation. Ultimately, this can only be done if people are vested with the appropriate skills to meaningfully contribute to development.

It is in this vein that I submit that quality education, which includes appropriate school curriculum, school infrastructure and environment and a well-qualified teaching force. In many cases, however, education policy and infrastructure alone is insufficient. These need to be buttressed with mechanisms of accountability which provide effective remedies.

**Social and Political Strategies to promote a New Transformation Agenda**

I have presented the case for education for consideration as the most central and pivotal driver of growth and structural transformation in the continent. Building on this proposition, I now turn my attention more specifically to the theme of this panel discussion which is to explore some of the social and political levers that exist to hold states accountable for this transformation agenda.

Accountability is the obligation of duty-bearers to take responsibility for their actions. It is an important link between human rights and good governance because good governance is about rights holders being able to hold the duty bearers to account. In democratic states, accountability for transformation and reform of the education sector in particular lies with government. Although there are a multiple number of mechanisms available to foster state accountability for transformation and make it possible for citizens to claim what is due to them these are dependant on citizens having access to information that would enable them to engage in effective social mobilisation.
To address this the South African Human Rights Commission included as part of its agenda the development of relevant publications that inform those who are supposed to take action. To highlight the high levels of inequality among children a statistical report titled, “Equity and Child Rights” was produced. The report showed that despite a sizeable investment that was directed towards children huge inequality gaps remained between the different categories of children in the country.

To begin with, legislation is a major mechanism for transformation. To see how law is a vector for change, it is important to observe that many of the roots of structural inequality are themselves entrenched in law. Stripped to their basics, laws are rules. These rules are powerful instruments through which states can favour or disadvantage populations. Laws determine the rules of the game, and determine the space for negotiation for transformation. This being the case, legislation has an extremely impactful deterministic force in the transformation of Africa. Central to any strategy for reform of social inequalities, therefore, has to be consideration of the review of legislation that creates and perpetuates structural inequalities.

Another mechanism for change is public policy. Policy, if properly designed and implemented can be a foundation for enduring and equitable transformation. Economic, financial, land, gender, as well as, more importantly in my view, educational policies, are pivotal in changing the negative equality narrative of Africa. That said, the effectiveness of any policy in bringing about transformation is heavily dependent on the

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measure of public participation in problem identification, policy formulation and implementation.\textsuperscript{15}

Added to these, a third strategy for structural transformation lies in the existence of \textit{strong and capable institutions}. At the national level, strong institutions are a mechanism through which effective transformation policies can be endorsed. The strength of these institutions lies in the levels of governance demonstrated. They have to be managed well and in a manner consistent with developmental objectives. Economic institutions, for example, play a necessary role in determining macro and micro economic policies that are key determinants of structural transformation.

Closely related to economic institutions are \textit{political institutions}. These also are key determinants of structural transformation. The role of political institutions begins, of necessity, with a discussion on political governance. Governance levels in political institutions are crucial in shaping developmental outcomes. This is why democratic governance, a sound electoral system, multiple entry points for citizen voice and participation in political conversations are the foundation for a new transformation agenda for Africa.\textsuperscript{16}

In a different, but related vein, one must consider the role of the \textit{judiciary} in fostering structural transformation. As citizens increasingly look to the courts for relief from what are perceived to be inequalities, human rights paradigms are being relied on to seek judicial interventions where inequalities prevail. For this reason, the judicial bodies, both nationally and internationally, are relevant institutions to be considered as useful levers.


for structural change. The importance, therefore, of independent judiciaries that are capable of providing justiciable and effective remedies is paramount. The role of these institutions, through judicial interpretation and judicial outcomes can contribute to efforts towards gradual transformation in the continent.\(^{17}\)

Recognising the growing role of non-state actors as agents of change and transformation, it is also important to consider the strategic contribution that collective-action institutions can make to redress structural inequalities in the continent. In this regard, I speak of institutions of organised labour, civil society, political parties, community development formations, independent media and others. Whilst often seen as an opponent of government, and state institutions, it is necessary to consider the important role that these formations play in giving voice to the disempowered and exerting pressure on the state to seriously consider the transformation imperative. Of necessity, these bodies will only be effective if they have access to critical information to inform their planned engagements with the state.

These are but a few of the inexhaustive number of social and political drivers of transformation that I wish to share for discussion. I wish to end by presenting a final role-player that is central to Africa’s transformation agenda. These are *National Human Rights Institutions*, which exist in most countries in Africa. NHRI’s as a species of institutions that can foster change, have a tremendous opportunity to contribute to systemic change. First, NHRI’s have the constitutional legitimacy to hold governments accountable for structural change that results in human rights abuses. Second, NHRI’s have access to international human rights and development platforms which they can utilise for support and to share best practice in

\(^{17}\) Ibid.
order to bring change to bear in their respective countries. This, in my view, is among the most authoritative voices of change in Africa. There is a great opportunity to strengthen these institutions and their effectiveness in the continent. To carry out their mandate effectively, NHRIs need to be independent, properly constituted and adequately funded.

It is my hope that these levers and those already discussed, either individually or working synergistically with each other, can bring about meaningful and sustainable structural change in Africa.

I thank you.