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ENHANCING A HUMAN RIGHTS CULTURE THROUGH
SOCIAL WORK PRACTICE AND TRAINING

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INTRODUCTION

*We, the people of South Africa,
Recognise the injustices of our past;
Honour those who suffered for justice and freedom in our land;
Respect those who have worked to build and develop our country; and
Believe that South Africa belongs to all who live in it, united in our diversity*

(SA Constitution – Preamble)

The gross violation of human rights under apartheid in South Africa is well known. This violation had an impact on every sphere of South African life, including the welfare sector. Patel (1999:Foreword) confirmed this: "Whilst welfare systems worldwide were designed to support and promote human development, social justice and peace, the South African welfare policies violated universal principles".

After the first democratic election in South African Society (April 1994), the Constitution of the Republic of South Africa (1996) was adopted as the supreme law of the Republic in order to –

- heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;
- lay the foundation for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;
- improve the quality of life of all citizens and free the potential of each person; and
- build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

The Bill of Rights included in the Constitution of the Republic of South Africa (1996) is therefore a cornerstone of democracy in South Africa. It enshrines the rights of all people in the country and affirms the democratic values of human dignity, equality and freedom. The creation of a Bill to enforce human rights, however, does not in itself wipe out the past. Human rights violations have caused deep-rooted suffering and bitterness which have led to a deeply divided South African society. The International Policy on Human Rights affirms that the victims of human rights abuses may continue to suffer for many years as a result of their experiences (IFSW Policy Paper on Human Rights 1996).

Patel (1999:Foreword) referred to the hurt and anger caused by a welfare system which was racially discriminatory, inequitable, undemocratic and unresponsive to the needs and rights of the majority of the people. The welfare system therefore impacted on the lives of all South Africans and willingly or unwillingly contributed to the dividedness of South Africans. Consequently the welfare sector decided to participate in building national unity and to join in

efforts of reconciliation, on the one hand, and the creation of a human rights culture, on the other hand.

Hence, to embark on a process of healing past wounds and building national unity, the people of South Africa must recognise the human rights violations of the past and find a way to ensure that these violations never occur again. It is to this end that the following structures were established to protect the human rights of all South Africans:

- The Constitutional Court replaced the sovereign parliament that had absolute power. Howes (1996:205) identified the previously applied paradigm as one in which a sovereign parliament had absolute power, could legislate on any aspect of life and thus exercise coercive power, whereas the new paradigm creates a constitutional state that is sovereign, democratic and based on inalienable human or fundamental rights.
- The Truth and Reconciliation Commission (TRC) was set up by Parliament in 1995 to reveal the truth about political conflicts between 1 March 1960 and 5 December 1993. The Commission included 17 Commissioners who were appointed by the President. To do its work, the Commission was divided into three Committees, namely a Committee on Human Rights Violations, a Committee on Amnesty and a Committee on Reparation and Rehabilitation. Although the TRC was initially set up for a period of two years, it was not possible to complete its work in that time. Submissions to the TRC had a cut-off date in 1998, and hearings for amnesty were extended to 1999.
- The South African Human Rights Commission (SAHRC) was established in 1995 in terms of the Human Rights Commission Act, No 54/1994, and was officially launched on 21 March 1996 on South Africa's Human Rights Day. Whereas the TRC was designed to investigate gross violations of human rights during the conflicts of the past and is a temporary body, the Human Rights Commission deals with current violations of human rights and is responsible for establishing and maintaining a culture of human rights in South African society.

It is the aim of this paper to discuss the impact of apartheid on the welfare sector and consequently on the violation of human rights within the welfare sector; in addition, an attempt is made to position social work practice and training *vis-à-vis* the protection of human rights and the development of a human rights culture in South Africa.

VIOLATIONS OF HUMAN RIGHTS IN THE WELFARE SECTOR

A turning point in the history of South African welfare was the issuing of Circular 29 of 1966 by the then Department of Social Welfare and Pensions. This document stated clearly that government policy on welfare organisations was based on the principle that each population group should serve its own community in terms of welfare. It further stated: "For the implementation of Government policy non-White welfare societies should be established for the various racial groups and be given the opportunity to develop side by side with the corresponding white societies, and should be encouraged under the guidance and with the advice of White Societies to unite, by affiliation, into fully independent national welfare organisations for each racial group separately."

Although Circular 29/1966 was a policy document and not a statute, it had a powerful effect on service delivery in the voluntary sector. The content of Circular 29 clearly indicated that social work could not operate in a political vacuum. The Greater Johannesburg Welfare Social Service and Development Forum (1998:3) emphasised this: "As apartheid laws and policies proliferated, racial separation and inequality became steadily more entrenched in every sphere of life. The

social services were no exception." Gray (1996:30) argued that social work is political, firstly, because it is regulated by and deals with the implementation of, social policy and, secondly, because it seeks to change both policy and the social structure which gives rise to, maintains and exacerbates social problems. She further stated that the political nature of social work derives from the activities in which social workers engage to remove social injustice (Gray 1996:35).

Howes (1996:209) pointed out that values are not abstractions that social workers prefer to adhere to – they are enacted in practice. Values are reflected in the principles of practice that direct and command action and it can therefore happen that conflicts of values and duty arise (Howes 1996:209). Because the social worker has some choice in the application of principles, ethics are involved. Ethics deals with the question of what action is morally right and how things ought to be (Loewenberg & Dolgoff in Howes 1996:210).

In the United States of America the National Association for Social Workers' Code of Ethics (1994), for example, stated that the "social worker should not engage in any action that violates or diminishes the civil or legal rights of clients". Other ethical aspects include the obligation to adhere to laws, policies, and agency regulations; the allocation of limited resources and the relationship between personal and professional values (Reamer 1995:897). The IFSW Policy on Human Rights (1997:4) is clear on this issue: "The value base of social work with its emphasis on the unique worth of each individual has much in common with human rights theory. Social workers frequently operate in situations of conflict, and are required by their national codes of Ethics and in the international Ethical Principles and Standards to demonstrate respect for all regardless of their previous conduct".

It is through the practice of such social ethics that social work practitioners should recognise the morally correct way to practice and to learn how to decide and act correctly in regard to the ethical aspects of any given situation (Howes 1996:210). Loewenberg and Dolgoff (in Howes 1996:210) provided a guide for ethical decisions for social practice which can be linked directly to social workers' direct responsibilities with regard to human rights. Decisions in practice should

- guarantee the basic needs of individuals and/or society;
- foster the autonomy, independence and freedom of individuals;
- foster equality of opportunity and equality of access for all people;
- promote a better quality of life for all people;
- permit social workers to speak the truth and to fully disclose all relevant information.

Although it can be argued that there is no consensus among various authors with regard to core values in the social work profession (cf. Howes 1996:207), the fact remains that throughout the profession's history, social workers have embraced a set of values central to the profession and have been concerned with ethics and values. Of these, social justice seems to be most frequently mentioned as the core value of social work. Social justice is the primary principle which guides the relationship between equality and equity. Social justice refers to the "ideal condition in which all members of a society have the same basic rights, security, opportunities, obligations and social benefits" (New Dictionary on Social Work 1995:58).

It is against this background, specifically of social worker's long-standing history of commitment to issues of social justice and to the dignified, fair treatment of people in need of assistance (Reamer 1995:900), that social workers need to acknowledge their responsibility concerning the protection and enhancement of human rights. The IFSW policy on human rights (1997:2) clearly

confirmed social workers' commitment to principles of social justice. It is expected from social workers to "... provide the best possible assistance without unfair discrimination on the basis of gender, age, disability, race, colour, language, religious or political beliefs, property, sexual orientation, status or social class". It further stated: "The social work profession accepts its share of responsibility for working to oppose and eliminate all violations of human rights".

The relevance of the welfare sector's decision to appear before the Truth and Reconciliation Commission is therefore summarised in the report on the submission of the Greater Johannesburg Welfare Social Service and Development Forum (1998:1): "Under apartheid, South Africa's social service sector became grossly distorted by laws and policies which emanated from this system. Injustices which had been in place under earlier colonial systems were entrenched and compounded during this period. As part of this process, core values of the social services were betrayed, and the sector failed to carry out key aspects of its function in society".

THE TRUTH AND RECONCILIATION COMMISSION AND SOCIAL WELFARE

The ultimate aim of the Truth and Reconciliation Commission (TRC) was to help develop a culture of human rights in South Africa, so that the suffering and injustices of the past never occur again.

The Commission was guided in its work by a desire to understand the events of the recent past. It did not seek vengeance or retaliation, but rather attempted to bring about national unity and reconciliation. If the ultimate aim was to create a human rights culture and bring about national unity, the question is whether the social welfare sector can contribute to this end by acknowledging its participation in the violation of human rights.

Failure to prevent complicity to the violations of human rights in the welfare sector must, however, be seen in the context of social workers having been both perpetrators and victims. The survival technique adopted by many welfare organisations was to "accept, execute and at times enhance these apartheid laws and policies" (SA National Council for Child and Family Welfare Submission, 1998:1). Some social service workers, willingly or unwillingly, were to varying degrees involved on a daily basis in implementing and maintaining this dispensation. Others (individuals and organisations) were victims of oppression, and many were at various stages both victims and implementers and/or beneficiaries of the apartheid system (Greater Johannesburg Social Service and Developmental Forum Submission 1998:1). Social workers, "as advocates for change" are "often in the forefront of movements for change and thus are themselves subject to repression and abuse" (IFSW Policy Paper on Human Rights 1997:4).

The policy for welfare reflected in Circular 29/1966 not only had a severe impact on the delivery of social welfare services, but also resulted in a split within the formal welfare sector, and created a huge gulf between professional colleagues due to the racial division of welfare services.

Purpose of the submission

The welfare sector's submission to the TRC must be seen in the context of the IFSW Policy on Human Rights (1997:4): "The social work profession accepts its share of responsibility for working to oppose and eliminate all violations of human rights. Social workers must exercise this responsibility in their practice with individuals, groups and communities, in their roles as agency or organisational representatives and as citizens of a nation and the world." Social workers in Australia set an example in terms of reconciliation as the process needed to heal their

painful past (Dodds 1997:3). The policy and practice of excluding Australian Aborigines from the national census, a policy which was implemented over many years, has had profound effects upon the lives of innumerable Aboriginal people (Dodds 1997:3). She continues: "We social workers, like so many others, must acknowledge that we were a party to this process. The Australian Association of Social Workers has through the inquiry and other means, acknowledged the role of social work in the past and issued a profound and sincere apology."

The welfare submission to the TRC was an effort on the part of many practitioners, volunteers and organisations in the social services sector who wished publicly to take responsibility for their sector's contribution to human rights abuses (cf. submissions of the Greater Johannesburg Welfare Social Service and Development Forum, 1998:1-2; 20, the National Council for Child Welfare, 1998 and the South African Federation for Mental Health 1998). It was intended

- to convey to the people of South Africa, particularly the impoverished and the marginalised, the unreserved apologies (a) for all social services practices which were destructive to the well-being and dignity of persons, families and communities, and (b) for the failure of individuals and of organisations to honour the stated principles of the welfare sector by taking a firm stand against injustices and (c) for not taking actions to more clearly resist and confront the grossly unfair, inhuman and discriminatory practices;
- to pay tribute to all those in the welfare sector who stood up against injustice, often suffering deeply in the process;
- to acknowledge and recognise all the efforts of those individuals, structures and organisations to reposition and restructure the sector, as well as finally opposing and fighting discriminatory and abusive policies and laws;
- to ensure that key aspects of the history of the social welfare sector are documented, so that it can avoid the repetition of past failures and malpractices, and move forward into the future on the basis of a sound understanding of its past;
- to convey a commitment to oppose any form of discrimination on the grounds of race, gender, disability, religious affiliation or sexual orientation and a will to work towards the protection of the human rights of all people; and
- to strive towards the enhancement of the social welfare of all South Africa's people with special recognition to those who have been previously disadvantaged and marginalised.

The submission can be viewed as social welfare's contribution to building a bridge, to assisting in the healing and reconciliation of the people of South Africa and as a commitment to contributing to the building of the nation.

Areas for submission to the TRC

Joint submissions to the TRC by the welfare sector were made on 20 February 1998. Participants included the following:

- the South African Council of Child and Family Welfare, with the support of nine Child and Family Welfare Societies out of 172;
- the South African Federation for Mental Health;
- the National Coalition for Social Services (NACOSS), including 24 national organisations. (Of those, nine organisations supported only the last two paragraphs of the submission.)

- the Greater Johannesburg Welfare, Social Services and Development Forum, which was endorsed by the National Welfare Social Service and Development Forum (NWSSDF) - stakeholders of the Forum included women's organisations, the formal welfare sector, voluntary welfare organisations, non-governmental organisations (NGOs) involved in social service delivery, religious organisations, professional associations of social workers and social work educators, with time constraints, preventing other Provinces from working through the document and endorsing the submission; and
- the South African Interim Council for Social Work, which made a preliminary apology on this date about its activities in the past and made a full submission for the period from 1981 to 1994 on 25 June 1998.

The discussion below on the areas of submission is based on the reports of the above-mentioned stakeholders.

Apartheid practices within the social services

The Apartheid ideology was translated into action through the way in which society was governed and administered (Patel 1999:Foreword). Social services workers and personnel at every level of authority were therefore involved in the daily implementation of all the racial aspects of the various welfare statutes, mentioned above. In addition, they were required on a daily basis to implement statutes which formed the foundations of the apartheid system, such as the Population Registration Act, the Group Areas Act and influx control legislation (Greater Johannesburg Welfare, Social Services and Development Forum Submission 1998:12).

Racial classification sometimes meant that children from a single family were separated and placed in different homes as the children's home would not accept a sibling who had a different race classification (National Council for Child and Family Welfare Submission 1998:6).

Welfare services and subsidies

Welfare services were rendered along ethnic lines in terms of Circular 29/1966. This policy document had a powerful effect because of the financial hold of Government via the subsidy for delivery of services in the voluntary sector. Welfare organisations differed in the ways in which they responded to the policy of the separation of services. Some were unable to survive economically without government subsidy, and split their services on racial lines in order to survive. Patel (1999:Foreword) asserted that Circular 29 of 1966 issued by the Department of Social Welfare and Pensions is an illustration of the undemocratic nature of the policies and of the way they were implemented: "Hundreds of non-governmental organisations operating in the welfare field became willing or unwilling partners of the apartheid state. The silence and complicity was 'bought' in exchange for state subsidies for services. The social work profession in South Africa was torn apart. There were those who fought to uphold the concern of the profession with issues of mass poverty, social justice and human rights, and those who interpreted the role of the profession within the dominant apartheid ideology". The impact of this response is seen in the effect it had, for example, on the National Council for Child Welfare which had been established in 1924, committing itself to "promote the interests and the welfare of the children of South Africa irrespective of race, class, politics or creed". As a response to Circular 29, this Council and its affiliated Societies were compelled to review the Council's structure. The constitutions of the National Council for Child Welfare and its affiliated Societies had to be amended to provide for the appointment of sub-committees for each race group. These subcommittees would eventually be asked to take over the work for their own group completely. Organisations received separate, racially discriminatory subsidies from the different state

departments, and delivered services according to different policies and procedures put in place by the various state structures involved (National Council for Child and Family Welfare 1998:4).

Unequal allocation of welfare resources

Social justice requires that basic human needs are met and that resources are equitably distributed. Social workers thus have to ensure equal access to public services and social welfare provision in accordance with the resources of national and local governments, and have a particular responsibility to combat discrimination of any kind in their own practice (IFSW 1996:5). The welfare system has, for decades, allocated national welfare resources unequally. It was whites who received the vast bulk of welfare service expenditure prior to and during the apartheid years. Vast discrepancies prevailed in the amounts paid for all forms of social security provision, including old age pensions, disability grants, single care grants, foster care grants and maintenance grants.

Discrimination took the form not only of inequalities in the amounts paid, but also of vast differences in the procedures and policies applied by the different state departments. All Black pensioners' payouts, for example, would be made on fixed dates at communal payout points, often in inhumane conditions (Greater Johannesburg Welfare Social Service and Development Forum Submission 1998:9).

The eventual equalisation of the other grants and pensions mentioned above amounted to a substantial move towards redressing inequalities in state social security provisions. However, most black women were not aware that a maintenance grant was available to them. In all probability, a great many children could have been prevented "from being abandoned, taking to the streets, becoming involved in child labour, or turning to prostitution or to juvenile crime" (Greater Johannesburg Welfare Social Service and Development Forum Submission 1998:12) if their mothers had received or asked for such a grant.

Effect on social workers/personnel practices

The fact that social services were segregated and unequal created distrust and dissent amongst many of the National Council for Child and Family Welfare's affiliates – especially the societies managed by and rendering services to African, Coloured and Indian people (National Council for Child and Family Welfare 1998:4).

The then Social and Associated Workers' Act, No. 110/1978 afforded full professional status to the social work occupation and the Council for Social and Auxiliary Workers was established in terms of the Act. The denial of voting rights to social workers from the former independent Black states under apartheid, namely Transkei, Bophuthatswana, Venda and Ciskei was one of the reasons why many social workers dismissed the Council as an illegitimate body for many years (National Council for Child and Family Welfare Submission 1998:4). Many social workers therefore practised without being registered as social workers.

Social workers, as already indicated, were both victims and perpetrators, and were to a greater or lesser extent negatively affected by the country's oppressive laws. Individuals within the anti-apartheid movement were victimised and/or detained because of their opposition to the apartheid system (cf. National Council for Child and Family Welfare Submission 1998:4).

Black workers, for example, had to have relevant documentation, in accordance with the pass laws, to live and work in certain areas, whilst subjected to the same problems and risks as the rest of the black population. Country-wide, social service workers were among those detained

and in some cases tortured (Greater Johannesburg Welfare Social Service and Development Forum Submission 1998:14). They were subjected to the same acute pressures in terms of housing, access to education for children, and living in communities racked by civil strife. Other groups had completely different options available to them in the course of their work: social workers serving whites were usually in a position to link their clients to far more and far better funded community resources than was the case for their colleagues serving members of other groups. Whites could be appointed to "black" posts, but the reverse could never happen (cf. Greater Johannesburg Welfare Social Service and Development Forum Submission 1998:10).

Organisations were typically managed by whites, with little opportunity for advancement for people of other racial groups. Social workers worked alongside one another while earning vastly unequal salaries. These unequal state salary scales remained in place until the end of the 1980s. Lack of residential rights also had substantial effects on employment possibilities (Greater Johannesburg Welfare Social Service and Development Forum 1998:13).

Associations for social workers obviously developed along racial lines. Due to this fragmentation, social work practitioners were not allowed affiliation with the International Federation for Social Workers (IFSW). Attempts were made in the 1970s to form a coordinating agency, but they were unsuccessful. Working together was, however, occasionally successful, for example, lobbying the government on areas of common concern, especially the poor salaries and service conditions which were a constant threat to the survival of social work professionals (Greater Johannesburg Welfare Social Service and Development Forum Submission 1998:19).

Training

Until relatively recently social workers of different races were trained in separate institutions, under vastly different conditions, according to quite different approaches and with very different learning opportunities. Available field work placements were restricted to whites – black social workers often had very little practical training in undergraduate years. The location of traditionally black Universities in rural areas where few or no services existed compounded this problem (Greater Johannesburg Welfare Social Service and Development Forum Submission 1998:14).

Those institutions which were critical of the ideological foundations of the apartheid policy, however, attempted to provide a more liberal education, which was fraught with its own contradictions (Patel 1999:Foreword).

Addressing injustices

As increasingly harsh legislation was promulgated, resistance to government policies from activists in all sectors, including the social services, rose to new heights (Greater Johannesburg Welfare Social Service and Development Forum Submission 1998:15).

Welfare structure restructured

During the 1980s, and especially from 1985 onward, the welfare sector began to organise itself into regional and sectoral formations, while pressure groups started to reject and express their concern about and dissatisfaction with the new policy dispensation put into place by the then government (Letsebe, Lombard & Mazibuko 1996:1-2). New social services formations and coalitions emerged, with links with trade unions, community-based organisations and other structures involved with the liberation struggle. These formations and coalitions represented a move away from narrow professional preoccupations and a stronger tendency to identify with the

broader community and especially those disadvantaged by apartheid policies (Greater Johannesburg Welfare Social Service and Development Forum Submission 1998:19).

A strong message which emanated from these actions and positions was that South Africa needed an alternative welfare system which would espouse specific values, philosophies and principles. There was a strong feeling that social welfare, in its diversity, had to take the initiative to evolve a new conceptual, philosophical and policy framework.

Organisations with a more activist approach linked up with the emerging progressive social service bodies elsewhere in the country and convened a major national conference, entitled "Towards a Democratic Welfare System" in Johannesburg in May 1989. The conference focused both on the need to dismantle the old welfare order and on the development of a vision for a just, equitable and democratic post-apartheid welfare system (Greater Johannesburg Welfare Social Service and Development Forum Submission 1998:18).

By 1992 the idea of a representative national structure to organise and mobilise the welfare sector in respect of developing an alternative welfare policy and participating in the process of transformation was mooted. An initial structure in the form of the Ad Hoc Facilitating Committee for a Welfare Forum was formed at the beginning of 1993 to address critical issues facing the welfare sector in the transition to democracy in South Africa. This was subsequently replaced by the Ad Hoc Committee for a Welfare Summit. The formal welfare sector, religious organisations, private welfare organisations, as well as professional social workers' and non-governmental organisations were represented in the original Committee. A National Welfare Summit, convened at the World Trade Centre in Johannesburg on 6 November 1993, and attended by 700 delegates from across the nation, mandated the Ad Hoc Committee to mobilise, educate and organise all stakeholders in the formation of a welfare forum. By this time other sectors, such as education, housing and youth, had already established forums. As a sector welfare realised that part of the explanation for its low profile in the negotiation process and its related technical committees and other structures was that the sector was fragmented and had not developed a common representative voice on pertinent matters (Letsebe, Lombard & Mazibuko 1996:1-2).

Detention

The issue of the detention and torture of children in the mid-1980s spurred on a number of mainstream welfare organisations to publicly declare their objections to repressive practices against children and, in Johannesburg, several such organisations joined into networks which lobbied against the detention of children and declared their services available to detainees and their families (Greater Johannesburg Welfare Social Service and Development Forum Submission 1998:20).

It is against this background that the welfare sector presented a submission to the TRC on 20 February 1998, even though the sector knew that it would not be a complete account. Although a wide spectrum of formal and informal welfare organisations participated in making the submission, the submission does not reflect the views of the entire welfare sector. There are many reasons for this – one being that there was not enough time to consult more widely, since the cut-off date for submissions was very close by the time the welfare sector finally decided to make a submission. In addition, some stakeholders felt that the past needed to be left behind and that the focus should be on the future, while others were of the opinion that it was not at all necessary to make statements about or apologise for the past.

Gobodo-Madikizela (1997:6) stated that there has been much debate about the problem of white people's resistance, or lack of it, to apartheid and their status as beneficiaries of apartheid. She clarifies her contention as follows: "In the course of the debate, the skilfulness of the architecture of apartheid, and the reality of human weakness, is forgotten. When people live in a system that makes them comfortable, and endows them with all sorts of privileges, the average person is blinded, at least momentarily, to the harsh realities outside the circle of privilege, until the moment of truth comes. To keep this guilt at bay, some keep the truth out of their consciousness, some only reduce it to a minimum. Yet others confront this truth and continue struggling with their guilt. Apartheid left a heritage among some whites. But among others, it left deep wounds". Gray (1996:30) confirmed in this regard that social workers do not readily agree on political and ideological matters. Reamer (1995:894) maintained that a significant portion of literature focuses on the need for social workers to clarify their own personal values since workers' personal values affect their willingness to endorse and act on the profession's value base.

Having knowledge of and regretting the past, moreover, raises questions regarding current and future steps to protect and promote human rights. A framework to do this in is to be found in the South African Human Rights Commission (SAHRC). The Human Rights Commission is mandated to help develop a culture of human rights in the South African society. The welfare sector can contribute to this process by means of, *inter alia*, policies, programmes and awareness campaigns.

WELFARE PRACTICE ENHANCING A HUMAN RIGHTS CULTURE

The White Paper on Social Welfare (1997) reflects the new social policy in South Africa. The social welfare policy is in line with a developmental approach and sets the framework for all developmental social welfare policies and programmes to be in line with the following principles: securing basic welfare rights, equity, non-discrimination, democracy, improved quality of life, human rights, people-centred policies, investment in human capital, sustainability, partnership, intersectoral collaboration, decentralisation of service delivery, quality services, transparency and accountability, accessibility, appropriateness and *ubuntu* (a term utilised as "people are people through other people"). Howes (1996:207) indicated that the principles formulated in the White Paper on Social Welfare reflect a value base and form the framework for ethical decision making in social work practice, both on macro and micro level. In line with this view the IFSW Policy on Human Rights (1997:4) clearly argues that social workers' experience of the impact of social conditions on the capacity of individuals and communities to resolve difficulties means that they recognise that the full realisation of civil and political rights is inseparable from the enjoyment of economic, social and cultural rights. Policies of economic and social development, therefore have a crucial part to play in securing the extension of human rights.

Although there is still a long way to go, there are many policies, programmes and action plans as well as legislation already in place or in process which reflect the social welfare sector's contribution or attempted contribution to the enhancement of a human rights culture in South Africa. This contribution is evident in the above principles being endorsed by the RDP and enshrined in the Bill of Rights.

Child protection

South Africa's children and youth were at the forefront of the resistance to the apartheid regime. Their protests against racist education and socio-economic deprivation, and their organisation

and struggle for a better life for all, played a major part in the liberation of the country and its transformation into a non-racist, non-sexist democracy (UNICEFF, NPA 1994:2). Since South Africa ratified the Convention on the Rights of the Child, a great deal of work has been done to prepare the ground for change in the lives of children. The Constitution contains a crucial section (Section 28) on the rights of the child.

Constitutional imperatives and South Africa's international legal obligations flowing from, *inter alia*, the ratification of the United Nations Convention on the Rights of the Child (1989) emphasise the necessity for undertaking a comprehensive review of child legislation. Children have suffered directly as a result of the unequal application of the fragmented laws affecting them - this therefore justifies the reformulation of all laws affecting children in a comprehensive, holistic manner (Initial Country Report South Africa 1997:1). The South African Law Commission embarked on a review process of the Child Care Act in 1998.

The child and youth care system in South Africa is being transformed into a single, integrated system which will develop young people at risk and meet their needs and those of their families. The Cabinet has recognised the need for the child and youth care system to be fundamentally overhauled and has set up an Interministerial Committee (IMC) on young people at risk, which consists of seven national non-governmental organisations and eight government ministries, and is chaired by the Minister of the Department of Welfare and Population Development (Department of Welfare Annual Report 1995/96:18).

The Cabinet has endorsed the position of government that children and youth awaiting trial should not be detained in prison or police cells. Children awaiting trial in prisons are ensured of special protective measures and services from the Departments of Welfare and Correctional Services. A new integrated and inter-sectoral policy was developed and initiated in 1997 and, together with this, new programmes reflecting the guidelines and principles were set up to test out the new system. Cabinet has further decided that children awaiting trial in prison must receive appropriate protection and services from the Department of Welfare.

Project Go is a policy guideline serving to guide the transformation of the child and youth care system. Project Go was initiated and designed within the context of the transformation of the Child and Youth Care system, by the Inter-Ministerial Committee - nationally and provincially - to assist provinces to address the blockages in residential care, address the human rights abuses in residential care facilities, improve early intervention services, and pilot a new developmental assessment approach. However, it is generally acknowledged that the success of policies lies in the implementation.

The National Crime Prevention Strategy addresses the deep-rooted social problems that are barriers to human development by means of a national victim empowerment strategy (Initial Country Report South Africa 1998:43). The first official conference on victim empowerment was held on Thursday, 18 June 1998 in the Northern Cape Province.

Regarding the disability sector, a White Paper on an Integrated National Disability Strategy makes provision for a human rights and development approach to disability, focusing on the removal of barriers to equal participation and the elimination of discrimination based on disability. In this strategy, special needs and support services in education and training in South Africa are being considered for recommendation (Initial Country Report South Africa 1998:45).

The Prevention of Family Violence Act 133 of 1993 deals with the procedure by means of which interdicts in relation to family violence can be obtained; it also contains a provision requiring

persons in various positions of responsibility to report the ill-treatment of children (Initial Country Report South Africa 1997:46).

Flagship Programme

In November 1995 the Departmental Committee for Developmental Social Services (DCDSS) jointly decided that a programme had to be implemented which would depict the new emphasis on prevention and development in welfare planning and service (Erasmus 1998:3). The Flagship Programme aims to provide economic, educational and training opportunities for unemployed women with children under five years to break the cycle of vulnerability and poverty. The Department of Welfare has made money available for pilot projects, which is this Department's contribution to the commitment the government has made to the Beijing Platform of Action for women. These pilot programmes are aimed at helping women become economically productive by giving them skills to enter the workforce or go to work for themselves. The programme also looks at the developmental needs of young children to ensure that they have every chance of growing into productive citizens and to reduce the problems they may experience later in life. The first pilot project of the Flagship Programme was launched in the Northern Province in 1996. Since then there have been launches in seven of the nine provinces, including 15 pilot projects. The challenge for these projects is to be people-driven rather than government-driven. Some provinces are already finding that people are not involved adequately, so the projects need to be carefully monitored by the Department. Successes in fighting poverty, however, need to be acknowledged in view of, for instance, the Bekkersdal Pilot Project launch of their video *The Break of Day* on 7 August 1998. Bekkersdal accommodates project facilities such as a restaurant, cash bar, hair-dressing salon, a car wash, a sewing project, a guest house and a child care facility.

Social security

Social grants constitute what is probably the South African government's most effective poverty alleviation programme and are an integral part of its reconstruction and development strategies. Pensions for the elderly and disabled are the main source of food and security in many African households. The government has accepted that the support the social security system gives to the needy is necessary for economic development and political stability. To avoid permanent dependency on state aid, social grants for certain target groups will be closely linked to job creation and other anti-poverty programmes. The vision is that development programmes will empower people to earn a living, move off the social security system and achieve economic independence (Department of Welfare Annual Report, 1995/96:19). The current problems in the pension system are of great concern. The streamlining of the system is a positive development, but there are too many people who qualify for, but who do not receive, pensions. The potential of social security as a means to alleviate poverty is therefore limited.

The fact that the new child support grant will only be available to children under the age of seven years has given rise to criticism from the NGO sector. The new grant will, however, reach 3 million of South Africa's poorest children over a period of 5 years (Initial Country Report South Africa 1997:65).

Partnership in welfare

The result of the shift to a democratic state based on human rights brings about a civic society which entails participation and consultation, reaching consensus and creating a partnership between the state and organs of society (Howes 1996:207).

Developing working partnerships with NGOs is a priority for the Department of Welfare. The Public Liaison Sub-Directorate of the Department of Welfare keeps the people of South Africa in touch with development in the broader welfare field. A departmental newsletter, the *Welfare Update*, ensures that the public is informed and participates.

The Department also constantly liaises with the National Welfare Social Service and Developmental Forum, representing the civil welfare society, with regard to policy formulation and an appropriate social services and development system.

The South African Interim Council for Social Work

In 1997 the South African Interim Council for Social Work was established with the purpose of making recommendations to the Minister of Welfare and Population Development on the constitution of a transformed council and how best to amend the Social Work Act so that there will be greater transparency, accountability, professionalism, democracy, access and community involvement (Department of Welfare Annual Report 1995/96 27). The Act for Social Service Professions was adopted on 27 November 1999 and the South African Council for the Social Service Professions was inaugurated in May 1999. The Act makes provision for the constitution of professional boards for social services professions such as social work, youth and child care workers, community developers and probation officers.

Interim Committee of Social Workers Associations (ICSWA)

ICSWA is a group of representatives from the various professional associations (along race lines) working towards unifying different professional associations in South Africa - although it acknowledges and respects the diversity of social workers' needs and ideologies.

The aim of ICSWA is to facilitate the development of a strong, inclusive, representative structure which can speak on behalf of all social workers. Through this body, South Africa was granted membership of the International Federation of Social Workers on 3 July 1998 at a meeting in Israel.

Financing of developmental social welfare services

A draft policy for the financing of developmental social welfare service was released in 1998 for consultation with stakeholders. On 26 March 1999 the Financing Policy for Developmental Social Services was adopted by Parliament. The aim of the policy is "to rationalise welfare funding, to target beneficiaries and to distribute benefits equitably, to ensure resources are used efficiently and effectively, and thereby to correct injustices and imbalances brought about by the present skewed allocation of resources" (Financing Policy 1999:4). The Financing Policy is regarded as one of the most important policy instruments for the fundamental transformation of both service delivery and its financing.

SOCIAL WORK TRAINING AND THE ENHANCEMENT OF HUMAN RIGHTS

Like members of all sectors, social work educators, in terms of the existing social development paradigm, have to transform and refocus their business. The Joint Universities for Schools of Social Work (JUC) has adopted the following vision for training:

- to give strategic direction to social work education in South Africa;
- to develop relevant and effective practitioners empowered to deliver services in a wide range of social, development and community work fields;
- to produce research; and
- to impact on social policy, consistent with the various and changing needs of a multi-cultural society.

The JUC will also play a leading role in those areas of competence both in Africa and internationally. To achieve this vision, the JUC has indicated two core functions that can be implemented collectively, namely (1) to position social work in society and to (2) promote quality education (Lombard 1997:7).

If the social work profession is committed to social change, it will accept its educational task in this respect (Howes 1996:212). Drower (in Howes 1996:213) pointed out that social work education had always emphasised self-awareness and, through the supervisory process, had recognised the effect of "the personal on the professional". The transformation process requires scrutiny of the social worker's personal values, biases and prejudices and self-awareness with regard to emerging societal and professional values.

Human rights education must be a societal commitment. Education is the cornerstone to empowerment and equality. All levels should be targeted, that is, early child development, primary, secondary and tertiary levels (Human Rights Conference Report 1997:31). Students for example, are exposed to discriminatory practices in the classroom. Research into equal opportunities must be undertaken and should be linked with international research on student inequalities on campus.

Constitutional changes have a direct impact on social policy. It is therefore important that social workers and students be familiar with the constitutional framework they need to operate within. Understanding of the Bill of Rights in particular serves as a foundation for insight into the South African Reconstruction and Development Programme, which in turn provides the framework for social welfare programmes and services. Jansson (1999:10) regarded policy practice and policy advocacy as the fourth dimension of social work practice. Whereas policy practice provides a general framework for any policy changing, Jansson argues that policy advocacy aims specifically to increase opportunities and resources for powerless and oppressed outgroups. Social policy should be a core course in the social work curriculum since it constitutes social welfare policy which impacts on the enhancement of a human rights culture.

In South Africa the high incidence of crime and violence inhibits the development of a human rights culture and needs to be addressed. Wronka (1996:7) correctly asserted that human rights principles cannot be advanced by violence. Social workers are committed to the pursuit of non-violence (IFSW 1997:6). The social work curriculum therefore needs to deal with violence and, in particular, social workers' role/contribution to curbing violence – it also has to deal with the traumatising effects of violence.

In South Africa a culture of human rights will lead to a shift away from consumers' traditional perspective of social services as charity towards a view of such services being understood as constituting a right. In future the number of liability claims will increase. Education programmes should ensure that social workers have knowledge of liability law and the related concepts of malpractice and negligence (Reamer in Howes 1996:213).

Practice and universities should join hands regarding research in the field of human rights. Postgraduate students should be encouraged to do research in this field. With regard to social

policy, the curriculum has up to now generally neglected the social policy content. At a Southern and Eastern Regional workshop in April 1988, academics shared their experiences on training in social policy. Regional research is planned, with a view to studying the impact of the structural process and the marginalisation of social policy.

CONCLUSION

Social work is a profession with an ethical purpose and a political responsibility, both of which stem from its commitment to social justice, social change and social improvement (Gray 1996:34).

Reamer (1995:90) correctly argues that the future of social work cannot be predicted with precision, but it is certain that ethical and value issues will continue to permeate the profession. He adds that although values change in response to new trends and developments, the fundamental issues related to ethics and values in social work will persist. It will always be essential for social workers to examine these issues, which, in the end, form the very foundation of the profession.

Social work principles place a special responsibility on the social work profession to advance the cause of human rights throughout the world. Social workers work to prevent or alleviate individual, group and community problems, and to improve the quality of life of all people. In doing so, they seek to uphold the rights of the individuals or groups with whom they are working (IFSW 1997:3). Both the IFSW and the International Association for Schools of Social Work (IASSW) believe that greater knowledge and understanding of human rights will improve the actions of and intervention by social work professionals (Wronka 1996:10).

The guiding principles outlined in the White Paper for Social Welfare (1997) are evident in current welfare policies and programmes. It can be derived from this that the welfare sector is currently contributing to the enhancement of a human culture. The majority of social service workers and their organisations have by now committed themselves to a just and democratic welfare system which promotes the dignity and well-being of all South Africans, especially the most marginalised and vulnerable (Greater Welfare Social Service and Development Submission 1998:18).

In conclusion, the Policy Statement on Human Rights (1997:4) can be utilised as a summary of the role and responsibility of social workers with reference to Human Rights:

The social work profession, through historical and empirical evidence, is convinced that the achievement of human rights for all people is a fundamental prerequisite for a caring world and the survival of the human race. It is only through the recognition and implementation of the basic concept of the inherent dignity and worth of each person that a secure and stable world can be achieved. Consequently, social workers believe that the attainment of basic human rights requires positive action by individuals, communities, nations and international groups, as well as a clear duty not to inhibit those rights.

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