

**A CRITICAL REFLECTION ON THE STATE OF SOCIAL CONTRACT IN THE 21ST
CENTUARY SOUTH AFRICA**

BY

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DECLARATION

I **TSUNDZUKA HAKAMELA METHEWS** declare that “**A CRITICAL REFLECTION ON THE STATE OF SOCIAL CONTRACT IN THE 21ST CENTUARY SOUTH AFRICA**” is my work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references and that this work has not been submitted before for any other degree at any other institution.

Tsundzuka Hakamela
.....

TSUNDZUKA HAKAMELA METHEWS

20/02/2025

DEDICATION

This dissertation is dedicated to the members of my political party (the ANC). Thank you for your continuous support throughout my political career, the knowledge and wisdom of the leaders of the party. To my supervisors Prof P Dzimiri and Prof R Tshifhumulo, I am grateful for your time, guidance and on-going support.

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ABSTRACT

This study examined the state of social contract in South Africa. It explored the state of the social contract during the apartheid era to map out the changes and continuities in the social contract. The study employed desk-top research methodology, which involved the exploration of existing sources of information. The study found that the apartheid regime was fueled by a racial contract, which caused the division of members of society and the allocation of resources amongst them. The racial contract during the apartheid era favored the minority white people while suppressing the majority black people. The study revealed that there exists a concerning social contract, to an extent that no political party represents the majority. In 2024 a coalition government comprising of six political parties was formed to govern the country with no single political party dominating the government. This is a significant change in the social contract since 1994.

Key Words: Apartheid; Democracy; Social Contract; South Africa; New dispensation and citizens.

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List of Abbreviations and Acronyms

Abbreviation/Acronym	
ANC	African National Congress
DA	Democratic Alliance
GNU	Government of National Unity
SCAT	Social Contract Assessment Tool

CHAPTER ONE: INTRODUCTION AND BACKGROUND TO THE STUDY

1.1. INTRODUCTION

The study explores the state of social contract in South Africa during the 21st century and provides an overview the social contract from period the apartheid era to the present. It examines changes in political structures and authority as a representation of the will of South African citizens.

1.1.1. Background to the study

The all-white government of South Africa enforced racial segregation known as apartheid, which mandated that black South Africans who are the majority of the population, live in different neighborhoods and use different public spaces. There was little interaction between the two groups. The various racial groups were physically divided based on their social lives, public spaces, and locations (South African History Online, 2016). In 1948, after the National Party won that year's elections, Apartheid became a social project of the government based on a series of laws that made it legal.

First, the pursuit of interracial relationships by South Africans was made unlawful. Black, Indian, coloured (non-white), and white were the four racial categories into which citizens were divided. Locations were categorized based on race, thus areas like the beach and public restrooms were off-limits to persons of colour. While white people stayed and occupied towns and cities, millions of black people were forcibly taken from their homes and placed under restrictions and confinement within their ethnic homelands (South African History Online, 2016).

The use of Afrikaans as the official language of employment, communication, and education strengthened the social structure. Black people were reduced to working for white people and were not permitted to vote or participate in politics. But among these groups, internal resistance increased. To combat white authoritarianism and brutal

control, political organisations were founded. But the government responded to this with military repression. During a period of widespread campaigns and mobilization, the government outlawed all political organisations and arrested and tried several individuals. After years of isolation from the international community, the government became more ruthless in the 1980s as pressure mounted from both inside and outside to condemn apartheid and clear the path for a democratic, non-racial South Africa. Eventually, the government was forced to give in due to the pressure. South Africa introduced a constitutional democracy founded on non-racialism in 1994 following the liberation of political prisoners and the establishment of freedom of association (South African History Online, 2016).

The South African political settlement has introduced a progressive framework for the realisation of socio-economic rights as guaranteed by the constitution, into policy since the onset of democracy in the 1990s. However, this political agreement has not been accompanied by an economic and social agreement that resolves historical grievances and produces fair livelihood plans and service delivery. The vertical connection between the state and society has weakened as a result of the inadequate application of socioeconomic measures intended to combat injustice (Ndinga-Kanga, 2020).

In 1994, the ruling party won the national elections with a majority of 62, 6%. In 1999, the ruling party won the elections with a majority vote of 66, 4%. In the year 2004, the ruling party also won the elections with the majority votes garnering 69.7% of the vote. This was the highest percentage received by the ruling party. The decline in support started during the 2009 national elections, when the ruling party attained the support of 65, 9% of the votes. In 2014 the ruling party obtained 62, 2%. In 2019, the ruling party obtained 57, 5% of the votes (Statista, 2004).

In 2024, the ruling party lost the majority vote in the national assembly election in with 40, 2%. This was the lowest share of votes recorded since the introduction of the country's first democratic election in 1994. However, the 2024 election revealed a significant change in ANC voter support, with a 17-percentage point drop from the previous election year (Cowling, 2024).

1.1.2. Social contract

The idea that people's moral and/or political responsibilities are based on a contract or agreement among themselves to construct the society in which they live is known as social contract theory, and it is almost as old as philosophy itself (Chhattisgarh, 2018).

A chaotic condition of nature is transformed into an ordered community by the social compact, which forms the basis of political authority. Every philosopher's view of the social contract presents a unique form of government (PolSci Institute, 2023).

In Hobbes's view, the social contract requires individuals to completely surrender their rights to an all-powerful sovereign, whom he termed the "Leviathan." This absolute authority is necessary to maintain peace and prevent the return to the state of nature. The Leviathan has the ultimate power to enforce laws and ensure security, even if it means curtailing individual freedoms (Chhattisgarh, 2018; 1). Hobbes's interpretation best describes the United Kingdom.

Locke's social contract establishes a government that acts as a trustee of the people's natural rights. This government is limited and operates with the consent of the governed. If the government fails to protect these rights, the people have the authority to overthrow it (Chhattisgarh, 2018; 2). Locke's ideas significantly influenced the development of constitutional democracies, including the South African Constitution.

According to Rousseau, the social contract establishes a democratic state in which the people hold the reins of power. The general will, which reflects the interests of all citizens, is to be carried out by the government. This concept seeks to guarantee everyone's equality and freedom by emphasising participatory democracy (Chhattisgarh, 2018; 3). Rousseau's model also applies to South Africa, as being a democratic state.

1.2. Statement of the Problem

The rise of Afrikaner nationalism, an ideology that emphasised Afrikaner pride and dominance in reaction to British invasion and the threat posed by Black people who were rejecting subjection had an impact on the establishment of apartheid as a recognised system of racial discrimination (Worden, 1994). The Nationalist Party's top priority was to seize control of the main institutions, including the political, educational, and economic spheres. The National Party created a system that prioritised whites over other racial groups through political and economic suffering in order to accomplish its objectives (Zungu, 1977).

The Verwoerdian rhetoric of "Bantu culture" was presented as largely rural and static and was a clear attempt to create a limited vision of Blacks within the broader context of South Africa (Hartshorne, 1992; Worden, 1994). According to Hartshorne (1992) the implementation of Bantu education did not go unchallenged; it experienced some setbacks as well as hiccups. This is because black resistance became a deterrent as well as a threat and obstacle that the Nationalist Party had to contend with over the decades until its demise in the early 1990"s.

Another important organization was the Institute for Christian National Education (CNE) which was established in order to prepare a comprehensive document laying the basis of Christian National Education. According to Zungu (1977) this institute published a manifesto in 1943 which spelled out the program as establishing the single-medium schools and denying parents to choose the language of instruction for their children.

According to Mills (1992) the economic dimension of the racial contract is the most salient since it is based on economic exploitation. He argues that the racial contract establishes a moral hierarchy that partitions the polity according to race in order to secure and legitimate the privileges of those designated as white/persons and the exploitation of those designated as non-white/sub persons.

Considering successive leadership change in South Africa since 1994 from Mandela to Mbeki, Mbeki to Zuma and now Ramaphosa, and the recent Government of National Unity (GNU), there is an imperative to examine changes, transitions and trajectories in the state of the social contract in South Africa. The study questions the state of social

contract under these successive leadership contexts. It therefore examines the trends of social contract since transition from apartheid to democracy. The question is what has changed or not changed with respect to the social contract in South Africa since 1994. Furthermore, what are the changes and continuities? In addition,

1.3. Aims of the Study

This study examines the scope and nature of social contract in contemporary South Africa, highlighting the changes and continuities.

1.4. Research Objectives

To address the above questions, 4 concomitant objectives were pursued. These were to:

- Explore the etymology of social contract in South Africa.
- Explore the scope and nature of social contract during the -apartheid era.
- Examine the changes and continuities in the scope and nature of social contract post-apartheid.
- To explore what sustains social contract in the context of South Africa.

1.5. Research Questions

The study seeks to addresses the following question: What is the scope and nature of social contract in contemporary South Africa?

It has the following sub questions:

- What is the etymology of social contract in South Africa?
- What was the scope and nature of social contract during the -apartheid era?
- What is the scope and nature of social contract post-apartheid?

- What sustains social contract in the context of South Africa?

1.6. Significance of the study

The study examines the state of social contract in South African during the and after apartheid era specifically spotlighting the continuities and discontinuities. The apartheid era was an era filled with human rights violations, and a distinction was made between people of colour and the white minority. This also influenced the distribution of human resources amongst people, with the white minority favoured over other races. This changed in 1994, when the first democratic elections were held, and the then National Party lost elections to the African National Congress. This marked the end of the Apartheid era and South Africa became a democratic state.

However, the state of social contract in the democratic era is concerning. The ruling party's support has declined since 2014 as demonstrated by the declining votes for the ANC over the years. It was evident that during the 2024 elections the ruling party lost the majority of votes. This supports Locke's social contract that the government represents the people and their will, and the consent of the people. Additionally, where people no longer feel represented they can overthrow the government. Majority of South African's no longer support the ruling party, as it was the case between 1994-2019. This resulted in the formation of the Government of National Unity (GNU).

The study is important because it contributes new knowledge in relation to the state of social contract in South Africa today. It demonstrates the relationship between government and South African citizens. The present study expands existing literature on social contract through a comparative analysis of the state of the social contract during the apartheid and democratic South Africa. This study reveals a changing social contract and the reasons underlying the change Political scientists will benefit largely from the findings of this study.

1.7. Definition of key terms

Apartheid: is an Afrikaans word meaning “apartness”. For a large portion of the 20th century, it ruled relations between the non-white majority and the white minority in South Africa, approving political and economic discrimination against non-Whites as well as racial segregation (Britannica, 9 September 2023).

Democracy: is used to describe a system of governance in which the people themselves have the last say. They can do this directly or indirectly through a system of representation that frequently consists of regularly scheduled independent elections (Merriam Webster, 2002).

Social Contract: describes an actual or imaginary compact, or agreement, between the ruled and their rulers, or between the ruled and themselves, defining the rights and obligations of each party. According to the theory, individuals in prehistoric times were either happy or wretched anarchic states of nature from birth. Then, by applying natural reason and the social compact, they created a society and a government (Britannica, 07 September 2023).

South Africa: refers to the republic of South Africa.

Citizens: refers to South African citizens, with the necessary documentation, and eligible to vote.

1.8. Chapter Organization

This section provides an overview of the structure of this dissertation, outlining the organizations and key components of the research. The section provides a clear roadmap of how the study is organized and how various sections contribute to addressing the research objectives. The dissertation comprises the six following chapters presenting a comprehensive examination of the state of social contract in South Africa post 1994.

Chapter One: Introduction

In this chapter, an introduction to the research topic is provided, including the background of the study, the problem statement and rationale, the research questions, aims and objectives of the study, as well as the significance of the study. The chapter sets the context for the study and establishes its importance in addressing the gaps in knowledge regarding state of social contract in South Africa. It also provides a foundation for the subsequent chapters.

Chapter Two: Literature review

This chapter reviews previous literature and the theoretical framework underpinning this study. Key theoretical frameworks associated with this research, namely, social contract theory are discussed in this chapter. The social contract theory is used to explain the relationship between the government and its citizens. It is used understand the relationship between the apartheid led government and the citizens, and also the relationship between the current democratic government and South African citizens. The chapter also discusses previous research on social contract, exploring themes such as state of social contract, and the political context of South Africa. The theory of social contract is explored to provide an understanding of the state of the relations between the government and the citizens in South Africa. The transition between the apartheid era and the new democratic era is reviewed as well.

Chapter Three: Methodology

This chapter describes the research methodology that underpins the study. It provides a clear and transparent explanation of how the qualitative research approach was used. The purposive sampling strategy used for the study is also explained. Details on the data collection methods (in-depth interviews), analysis methods (thematic analysis) and ethical considerations provided.

Chapter Four: Data presentation and analyses

This chapter presents and analyses the interview data using thematic analysis. It explores and describes the state of social contract in South Africa, highlighting the challenges faced by South African citizens and the interventions required. The chapter

presents the findings under four themes namely: social experiences, economic experiences, psychological experiences and interventions needed by South African citizens and their government. These themes are then discussed in relation to existing literature, theoretical frameworks, and research objectives. The chapter provides rich descriptions and interpretations of the relationship between the government and South African citizen's post 1994, offering valuable insights on the changing contract, perspectives, and need.

Chapter Five: Conclusions and recommendations

This chapter provides a summary of the study findings and presents the study's conclusions and recommendations, based on the findings of the study. The chapter explores the implications of the study's findings, considering their significance in the context of social contract in South Africa. It also explores the practical implications for policy, practice, and the development of targeted state of relations between the citizens and the government in South Africa. Limitations of the research are acknowledged, and recommendations for future are provided. This chapter concludes the dissertation by emphasizing the significance of the study and its impact on the lives of South African Citizens.

CHAPTER TWO: LITERATURE REVIEW

2. LITERATURE REVIEW

2.1. Introduction

The present chapter reviews the literature on the subject matter. This chapter covers a range of topics. First the part explains the theoretical framework underpinning this study. It explains the social contract theory and why it is important for the present study. The chapter also defines social contract and its scope; the temporal dimension of social contracts; the substance of social contracts; the community contract; how different regimes, political systems and leadership sustained social contract; and the relationship between the constitution, human rights and social contract.

2.2. Theoretical/ Conceptual framework

This section explores the theoretical framework employed in the study. For the purposes of this study, the researcher chose the social contract theory. The theoretical framework is a “blueprint” for the entire study. It provides a framework to specify how a research will approach their study as a whole from a philosophical, epistemological, methodological, and analytical standpoint. It also acts as a guide on which to construct and support your research (Grant and Osanloo, 2014). Eisenhart (1991: 205) defines a theoretical framework as “a structure that guides research by relying on a formal theory...constructed by using an established, coherent explanation of certain phenomena and relationships”.

2.2.1. Social Contract theory

Thomas Hobbes provided the first comprehensive presentation and defence of social contract theory, which is appropriately linked to contemporary moral and political theory.

After Hobbes, the most well-known proponents of this highly significant idea, which has been one of the most prevalent views within moral and political thought throughout the history of the modern West, are John Locke and Jean-Jacques Rousseau. John Rawls' Kantian interpretation of the social contract theory gave moral and political theory a renewed intellectual impetus in the 20th century, and David Gauthier and others went on to offer fresh interpretations of the concept of social contract.. More recently, philosophers from different backgrounds have given additional objections to social contract theory (Chadwick, 2024). Social contract theory, according to feminists and race-conscious philosophers, is at least partially inaccurate in describing our moral and political lives and may even obscure some of the ways in which the contract itself is parasitic on the enslavement of other social classes.

2.2.2. Modern Social Contract Theory

The two main components of Hobbes' political theory are his psychological egoism explanation of human motivation and his social contract theory, which is based on the fictitious State of Nature. Hobbes's primary contribution is his idea of human nature, which informs his moral and political philosophy. This theory was developed in his 1651 philosophical classic, *Leviathan*.

His goal was to offer a theory of human nature that would be comparable to the findings in the sciences of the inanimate cosmos. Therefore, mechanism, the widely held belief that everything in the cosmos is created by nothing else than matter in motion, informs his psychological theory. Hobbes asserts that this also holds true for human conduct. Even if part of this latter behavior is unseen to us, human macro-behavior can be accurately defined as the result of specific types of micro-behavior (Hobbes, 1957). Such behaviors as walking, talking, and the like are produced by other actions inside us. And these other actions are themselves caused by the interaction of our bodies with other bodies, human or otherwise, which create certain chains of causes and effects in us, eventually giving rise to the human behavior that we can observe.

According to Hobbes, the subjective character of normative assertions is implied by the mechanical aspect of human psychology. For example, "love" and "hate" are just terms we use to express what we are attracted to and what we are repulsed by. Similarly, the concepts of "good" and "bad" are meaningless beyond characterizing our preferences and dislikes. Therefore, moral concepts are reflections of personal preferences and inclinations rather than describing an objective condition of circumstances (Hobbes, 1957).

In addition to subjectivism, Hobbes also infers from his mechanistic theory of human nature that humans are necessarily and exclusively self-interested. All men pursue only what they perceive to be in their own individually considered best interests, they respond mechanistically by being drawn to what they desire and repelled by that to which they are adverse (Hobbes, 1957). This is a universal claim: it is meant to cover all human actions under all circumstances, in society or out of it, concerning strangers and friends alike, with regard to small ends and the most generalized of human desires, such as the desire for power and status.

Everything we do is motivated solely by the desire to better our own situations and satisfy as many of our own individually considered desires as possible. We are infinitely appetitive and only genuinely concerned with our own selves. According to Hobbes, even the reason that adults care for small children can be explicated in terms of the adults' own self-interest (he claims that in saving an infant by caring for it, we become the recipient of a strong sense of obligation in one who has been helped to survive rather than allowed to die) (Hobbes, 1957).

For Hobbes, the necessity of an absolute authority, in the form of a Sovereign, followed from the utter brutality of the State of Nature. The State of Nature was completely intolerable, and so rational men would be willing to submit themselves even to absolute authority in order to escape it. For John Locke (1632-1704), the State of Nature is a very different type of place. So his argument concerning the social contract and the nature of men's relationship to authority are consequently quite different.

According to Locke, the State of Nature, the natural condition of mankind, is a state of perfect and complete liberty to conduct one's life as one best sees fit, free from the interference of others (Locke, 1632-1705). This does not mean, however, that it is a state of license: one is not free to do anything at all one please, or even anything that one judges to be in one's interest. The State of Nature, although a state wherein there is no civil authority or government to punish people for transgressions against laws, is not a state without morality. The State of Nature is pre-political, but it is not pre-moral. Persons are assumed to be equal to one another in such a state and, therefore, equally capable of discovering and being bound by the Law of Nature. The Law of Nature, which is, in Locke's view, the basis of all morality, and given to us by God, commands that we not harm others regarding their "life, health, liberty, or possessions". Because we all belong equally to God and cannot take away what is rightfully His, we are prohibited from harming one another. So, the State of Nature is a state of liberty where persons are free to pursue their own interests and plans, free from interference and because of the Law of Nature and the restrictions it imposes upon persons, and it is relatively peaceful.

The study deploys social contract theory as a lens to shed light on the study. The following section discusses the empirical literature review.

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2.3. EMPIRICAL LITERATURE

2.3.1. Defining social contract

The liberal state thinkers Grotius (1625), Hobbes (1651), Locke (1689), and Rousseau (1762) first proposed the idea of the social contract. Since then, a large amount of literature has been written about it. The majority of articles, however, are more theoretical and normative in nature, aiming to overcome anarchy's inherent status and achieve distributive justice, property rights, and security. Furthermore, they believe that any given social contract, whether explicitly stated or implied, automatically extends to the nation state (McCandless, 2018). Few scholars conceive supra-national agreements, such as the European Union (Rhodes & Mény, 2016) or even global social contracts (Birdsall, 2008; Stone, 2014), or view sub-national agreements as stepping stones toward new national contracts (Kaplan, 2015).

However, in more recent times, several writers have used the phrase "social contract" to refer to certain state-society relations processes and situations, using it as a strictly analytical, non-normative tool. They contend that a social contract is an equilibrium reflecting the distribution of power between those in authority and the rest of society rather than being good or evil in and of itself. This is how many academics have used the phrase in reference to the Middle East and North Africa (MENA) region; however, others have also used it in different contexts. Furthermore, foreign donor agencies are increasingly using the term "social contract" as a tool for analysis and policy.

For the purpose of this research, the social contract is understood to be the whole of all relevant societal groups' explicit or implicit agreements outlining their rights and obligations toward the sovereign (i.e., the government or any other actor in authority).

As a result, social contracts are primarily informal institutions with some formal components. Like other institutions, they lower transaction costs and increase the predictability of results in repeated interactions because their existence spares the contracting parties from constantly renegotiating their obligations to one another. As a

result, social contracts establish equilibrium in both intra- and state-societal interactions, strengthening social cohesiveness (see UNDP & NOREF, 2016).

This serves as both their main goal and the criterion by which their efficacy is evaluated (Muggah, Sisk, Piza-Lopez, Salmon, & Keuleers, 2012). Political and intra-societal problems are typically not resolved via social contracts. They are tenable as long as they provide the government and other stakeholders with guidelines for appropriate conduct and interaction (Muggah, Sisk, Piza-Lopez, Salmon, & Keuleers, 2012). In this way, they assist the contractual parties in handling dispute in a predictable, controlled, and peaceful way (Cook & Dimitrov, 2017, p. 8).

An example of a component of a social contract is collective bargaining, which brings about savings in terms of money and time, increases mutual trust amongst the parties involved, enhances the consistency of expectations, and may result in the creation of social pacts related to industrial relations. The outcomes of bargaining which are constantly evaluated and renegotiated are crucial for economic activity and investment as well as for the socioeconomic and psychological well-being of the public. Depending on the structure of state-society relations and the allocation of power, social contracts can differ significantly from one another (Hickey & King, 2016).

2.3.2. The scope of social contracts

Social contract varies. Usually they are a collection of agreements that the sovereign has made, either expressly or implicitly, with various social groupings as well as between social groups (Kinninmont, 2017).

As a result, social contracts might favor some societal groups over others by placing them in disparate positions. Additionally, they don't always incorporate every segment of society, at least not in the same way. Because of their greater influence, some social groups are able to create a social contract that benefits them, whereas less powerful groups have less influence over the terms of the agreement. In the latter scenario, a social compact may even be formed or terminated without their approval. For instance,

in South Africa during the apartheid era, African/Black people were prohibited from actively participating in social contracts.

As classical thinkers such (eg Hobbes, 1651) contend it would be absurd to expect that everyone or every faction within society would have to formally agree upon the terms of the social compact. Nonetheless, there must be at least implicit agreement among the most influential social groupings or from a strong coalition of these groups. In this sense, being "powerful" refers to having the means to control the kind and volume of deliverables that parties to a contract will trade. In this sense, the political party supported by the majority would be expected to have control power over those with minority support.

Naturally, it is challenging to draw any conclusions regarding who must accept a social compact in order for it to work. A social contract can be considered effective and long-lasting if a significant portion of the populace is persuaded, manipulated, or even forced to accept it; in this case, it might be considered a "tacit agreement" (Aarts, van Dijke, Kolman, Statema, & Dahhan, 2012; Pratt, 2007; Bayat, 2013). In South Africa, during the apartheid era, the social contract was considered effective although people of colour were forced to accept it. It can therefore be said that the social contract it was a tacit agreement.

2.3.3. The temporal dimension of social contracts

Weale (2003) talks about the different dimensions of a social contract. When do contracting parties decide to alter or replace them in an effort to get a better deal, and for how long? Social contracts are primarily meant to stabilize the relationship between the state and society, although they are frequently modified and renegotiated for any one of the following three reasons: there is potential for change in the relative power dynamics between the contractual parties. For instance, the government might no longer be able to fulfill its responsibilities without raising taxes if foreign income starts to drop (Weale, 2013); any party to a contract may discover that other parties are not fulfilling their duties (yet). This party believes that the social compact is no longer valid

and should be abandoned. The South African citizens who consistently go on strike to demand service delivery serve as an example of this; any party may at any time come to the realization that the current social contract is no longer appropriate, for example as a result of significant social or economic developments (Kinninmont, 2017). The election results from 2019 to 2024 also demonstrate that the social contract between the society and the current government was no longer tenable, and South African citizens saw a need to abandon it, hence the formation of the Government of National Unity.

Renegotiating a social contract offers an opportunity to achieve Pareto-improvements. This indicates that a modification of the social compact results in at least one party being better off than before, but no party losing out. Social contracts, after all, are rarely static and virtually always change over time. There is a chance, nevertheless, that existing social contracts will dissolve and no new ones will emerge. In general, this danger appears to be higher if either (i) a significant social group loses faith in the government, or (ii) social cohesiveness and equality are so low in society that disparate social groups have very divergent expectations and interests from the social contract (UNDP, 2016, 12).

2.3.4. The substance of social contracts

Social contracts vary in what they cover in their substantive dimension (OECD, 2009, 17). Some of the following questions play a crucial role in the substance of social contract: Which deliverables have been agreed upon by the contracting parties? What are their mutual rights and responsibilities?

Because social contracts comprise written and oral, formal and informal, as well as explicit and implicit agreements between the major players, written papers typically only offer partial solutions to these problems. In fact, we wouldn't need to study the social contract if the majority of their contents were contained in the constitution and other laws, as all debates about the relationship between the state and society would adhere

to formalized processes and be thoroughly documented, outlining the advantages and disadvantages of various outcomes.

In reality, most of the content of social contracts is the consequence of repeated exchanges between the sovereign and the main social groups, or of the tacit approval of each other's behavior. These kinds of repeated interactions formalize mutual duties and expectations (North, 1990; Avdagic et al., 2011). The consistent provision of certain goods by any contracting party to any other party makes the substance of social contracts clear.

Social contracts typically require the sovereign (government) to supply things that fall under the "Three P's": Protection can take many forms, such as (i) group security against external threats from other nations; (ii) personal security against physical threats, such as robbery, murder, illnesses, or environmental damage; and (iii) legal security, or the rule of law, which consists primarily of the existence of laws themselves as well as their enforcement, particularly the protection of human and civil rights; The provision of fundamental services, including jobs, a favorable business environment, government contracts, and access to resources (land, water, etc.); infrastructure (utilities, transportation, communication, etc.); social services (health, education, social protection, etc.); an involvement of every person in various governmental decision-making processes. Most of the things which fall under the three P's are fundamental rights in South Africa, enshrined in the South African Constitution, 1996. It is the duty of the government to ensure the realization of these fundamental rights.

According to comparative politics, these three deliverable groups are consistent with ideas of the state's three primary functions of legitimacy, authority, and capacity (Grävingholt, Ziaja, & Kreibaum, 2015). Sovereigns gain the legitimacy of their subordinates by satisfying all three requirements, at least partially, and are therefore able to rely less on repression to maintain their power. On the other hand, even in cases where the social compact is upheld, the failure to meet one or more of these deliverables results in instability or even state fragility. Nations might not be able to provide the three Ps: Some nations struggle primarily due to a lack of official authority when it comes to protection (particularly with regard to the personal safety and security

of their residents). Lack of governmental capacity causes some countries to fail primarily in terms of provision (e.g., of infrastructure or social services); some countries fail mainly in participation; some nations fall short in each of the three governmental duties. They fall short in terms of protection, involvement, and provision because they are feeble or even dysfunctional in terms of state authority, legitimacy, and capacity. Regrettably, more and more nations are falling into this group, which raises the possibility of armed conflict or perhaps civil war.

Scholars note that governments demand deliverables from society in exchange for compliance, affirmation, or at the at least, acquiescence, in the legitimacy of its regulations, and loyalty in the face of disagreement (Kinninmont, 2017; OECD, 2009, p. 17). Thus, accepting the government as is society's primary deliverable. In addition, governments have the authority to compel citizens to perform "national" tasks like civil service or the military or pay taxes. In this sense, studying the social contract closes a vacuum in the literature that von Haldenwang (2017) refers to as the "demand cycle" of legitimation by elucidating what various regimes, both democratic and authoritarian have to offer their citizens what they anticipate in return.

Thus, citizen compliance is the essential element of the social contract. The social contract that now exists breaks down when a significant portion of the populace publicly rejects the government, even though the government may, at least in part, replace the deliverables of protection, participation, and provision. More crucially, the government always fails because, while a nation may (temporarily) function without a social compact, a government cannot function without one.

Weber (1922) asserts that legitimacy, force (repression of dissent), or a combination of the two give governments the ability to dominate a nation. Governments that possess ample financial, logistical, and human resources can primarily depend on coercion; however, governments that lack these resources must devise alternative strategies to guarantee that a minimum of the most powerful social groups embrace their policies and the social compact they propose. Because of this, social contracts are more balanced and inclusive when the government is less powerful and more reliant on public approval.

2.3.5. The Community Contract

In Africa, the social compact involves not just the state and the individual, but also the individual and their communities, as well as the communities and the state. With the exception of Ethiopia, the African state as it exists now was undoubtedly forced into existence by colonialism. Even with better military technology, the colonial state could not be effectively sustained just by force; some normative cooperation was also required.

Thus, an unspoken agreement was made between the colonial power and local traditional authorities (whether already in place or recently established), according to which the former would guide their people in abiding by the state's decree and the latter would shield them from any local opposition (Oliver and Fage 1966). In this way, to borrow Max Weber's terminology, a required portion of traditional legitimacy was "captured" in favor of a legal-rational state (Weber 1947). Even in cases where appointive or democratic systems of governance have replaced traditional rulers, the authority of the state at the local level outside of major towns is nevertheless supported by community sanction throughout the majority of Africa. According to Mamdani (1996), this colonial legacy splits African communities into subjects living in rural areas and citizens living in cities. Furthermore, Africans are now legally obligated to live in their own states. Even so, non-elite urban Africans are nonetheless beholden to the authority of their rural communities of origin if they seek to maintain their land rights there, maintaining the informal reality of the community contract and its mediated connection with the state.

The implication is that, for the majority of Africans in the majority of countries, the social contract with the state is mediated. They have a contract with the state, but they are also loyal to their community. The community's roadways, physical protection, access to modern health care and education, and governing structure are all supported by the latter contract, which is still in effect today. However, in post-conflict scenarios, the "terms of exchange" for the agreement will have deteriorated to the point that the community's governing system can be trusted only with physical security.

The nature of the social compact within the community is another important consideration. As Mark Button asserts, social contracts are not self-enforcing. Institutional and cultural support is required, and these will be established in tandem with the contract itself. Button (2008) as a result, the local contract has a big impact on the national political system's discourse in addition to having an impact on the neighborhood. Local government power is closely linked to land control. Throughout most of Africa, peasants work their own land, but they do not physically transfer ownership of it. But they can only use it while they live there and till it.

Undeveloped land may be disposed of by the state and local governments. The local social contract is largely dependent on how local residents perceive their level of justice, which includes two things: (a) having access to land for production purposes and (b) having a balanced, non-oppressive local government, with particular emphasis on ensuring that court fines are commensurate with available income.

The leader of the group known as the "founding family," who rose to prominence primarily by bush-whacking but occasionally via conquest, is the traditional authority figure at the base who does not speak for the entire community.

The representative of the founding family grants permission to the "strangers" who follow them to use the land in a way that strengthens the community and adds value. In exchange, the "stranger" and his offspring agree to pay respect to and obey the chief, who is the scion of the founding family. Therefore, even while the original foundational social compact may have been between groups of roughly equals, it eventually transforms into a relationship between the founding families and their adherents (settlers through enslavement, conquest, or petition).

2.3.6. How different nations and leadership sustained social contract

A robust national social contract is a living and breathing agreement between the state and society, including various social groups, about how to coexist, how authority is used, and how resources are allocated. Through a variety of mechanisms, institutions, and processes, it permits the peaceful resolution of conflicting interests as well as

differing expectations and understandings of rights and responsibilities (including with nested and/or overlapping social contracts that may transcend the state) over time and in response to contextual factors (such as shocks, stressors, and threats). This study's subsection examines how various countries and leaders have upheld the social compact.

2.3.7.1. Cameroon: Lack of Responsiveness in the Social Contract

According to Fissy (2019) it is necessary to take into account many of the structural elements that are typical of the African social contract in order to comprehend the complex issues facing Cameroon. These include its colonial past, linguistic divisions, and the unfinished unification that followed independence in 1972, which permitted dreams for split to persist. Other factors that have influenced Cameroon's existing social contract and the strains on it include the country's highly extractive economy and the emergence of a small urban middle class that has been associated with the public sector. The social contract in Cameroon has traits linked to low openness, limited civic capacity, and low resilience.

The strained and contentious agreement between the government and the people of Cameroon has exposed a low-inclusive social contract, enabling language, religious, and generational divides to play a crucial role in the problem. Due to Cameroon's historical development, state-building initiatives have received more attention since independence and reunification than the rights and responsibilities of its inhabitants in a multiethnic society. Instead of creating an accountability system to improve the quality of services and promote inclusivity, the growing civil society sector, particularly faith-based organisations and cultural associations, has frequently come to be identified with service delivery. Conversely, the state, which is frequently perceived as operating for personal benefit has progressively become the standard (Bayert et al, 2009). The mindset of '*la politiques du ventre*' has led to the politics of cooptation based on the logic that '*la bouche qui mange parle pas*' (World Bank, 2016). The idea of the social compact has been increasingly undermined by the privatisation of public services. Additionally, the state's tax revenue is "primarily derived from a small number of large

formal firms, as well as import/export taxes from the oil and timber sectors” (Tidjani, 2019). The virtuous cycle of state-building is not activated, and the state has little need to respond to the needs of its citizens.

People no longer believe in the idea of shared wealth and prosperity as a result of the state's inability to fulfill the agreements that make up the social contract. Instead, they believe that political connections and luck play a bigger role in acquiring riches than geography. The state now relies “mostly on a few large formal firms for tax revenue, as well as import/export taxes ... from timber and the oil sector.” The state does not need to be responsive to citizens’ needs and the virtuous circle of state-building is not triggered. Without taxes, people are viewed as “subjects,” recipients of government handouts, and lack the ability to hold their leaders responsible. State organisation and reactivity to public demands: Cameroon became a unitary state in 1972 after eleven years of reunification. A referendum ended the federalist system mostly on the basis of economic grounds that the expense of maintaining a two-state federalist style of governance was high. Federalist agitators loudly argued that the nation should return to the two-state federal system that existed prior to 1972 when the Anglophone crisis broke out in 2016. These agitators used rallies that were previously planned by teachers and attorneys to push for their sectorial rights. Divorce would be the inevitable next step after a disastrous marriage, according to these separatists.

2.3.7.2. Senegal

Since the multi-party democracy was reinstated in 1976, Senegal has enjoyed growing political freedoms and is the only nation in continental West Africa to have never experienced a coup d'état. Within the country, the traditional style of Sufi Islam has “established the foundations for inter-ethnic and inter-confessional harmony, as well as substantial social stability and strong cultural identity” (Konte, 2019, page number??).

The Muridiyya is regarded as the most crucial component of the social compact. Civil tranquility and the execution of governmental programs, especially the controversial ones, depend on the support of the Murid shaykhs, who are regarded by a significant

portion of the populace as the only truly legitimate authorities (World bank, 2021). This is also related to the Islamo-Wolof model, which is made up of the political, social, and cultural structures (ideologies and infrastructure) that have been sustaining the colonial and postcolonial states' operations and supplying the resources and sources for the legitimacy of their authority. The Islamo-Wolof paradigm creates a complex web of social, cultural, political, and economic ties between the state and the brotherhoods. In addition to covering the entire social field, it ensures the dominance of a modernity that is motivated and inspired by Wolof, both socially and ideologically in the public domain.

2.3.7.3 South Africa

Since colonial times, South Africa has maintained a system of racial segregation and exploitation, which peaked during the official state policy of apartheid, which was in place under the National Party's reign from 1948 to 1994. The first of them was the denial of citizenship via the establishment of homelands, also known as Bantustans, which barred the majority of Black people from taking part in the national social contract. The state released itself from the obligation to address the political or economic rights of the people residing in these territories by establishing pseudo-independent territories. The state offered few or no services to Black South Africans (as defined by the apartheid regime), frequently allowing civil society and religious organisations to fill the void. Secondly, the school system was set up to equip racial groupings to occupy specific positions in the economic hierarchy, affirmative action targeted white Afrikaners, and the economy was also organised along racial lines, with some jobs only reserved for white people.

In contrast, the state provided the white minority with economic security, services, and a feeling of national identity. Black people were excluded and exploited in order to uphold this exclusive social contract between the South African government and the white populace. Since apartheid specifically excluded the majority of the people from political and economic involvement and caused severe divisions among citizens, its abolition was therefore a necessary condition for the establishment of an inclusive social compact. As a result, it was a major barrier to both horizontal and vertical

cohesiveness. However, its demise as a legal concept did not just result in a new level of social and economic integration.

A wide spectrum of activists influenced the development of unofficial dialogues for an inclusive South Africa throughout the transition. The United Democratic Front (UDF) developed into the Mass Democratic Movement (MDM), which is made up of the ANC, the UDF, and labour. It served as the umbrella organisation that united political parties, unions, religious organisations, and civil society players in popular struggle against apartheid. The melting pot of activism, however, gave way to more partisan engagements with the inaugural Convention for a Democratic South Africa (CODESA) after the transition processes between the ANC and National Party (NP) were formalised.

Core socioeconomic rights were outlined in the Reconstruction and Development Programme (RDP) during the 1994 election as part of the freedoms that all South Africans were given. Access to this right has been backed by social security benefits, which have grown from 4 to 16.9 million people since 1994 (Ferreira 2016). However, issues including land access, lengthy housing waiting lines, ineffective policing in high-crime areas, and the delivery of education and sanitation remain unfulfilled. In light of this inequality, expanding access to essential services has not improved the quality of that access; many municipalities have persisted in giving historically white suburbs preferential resources, while underprivileged communities continue to struggle with a lack of resources (Social Justice Coalition 2016). The ANC has been in charge of a gradual redistribution process since 1994; by the end of 2001, fewer than 1% of formerly white-owned land had been given to Black South Africans, falling well short of the ANC's pledge of 30% by 1999 (Mather 2002, 345).

Since there are fewer willing sellers and more demand, the willing-buyer-willing-seller mechanism for land redistribution has been problematic. Due to the ongoing high rates of urbanisation, the problem has also spread to urban land. For those who were confined to racial enclaves on the outskirts of cities during apartheid and who had to travel the farthest to work, earn the least, put in the most hours, and return to

neighbourhoods marked by crime and inadequate service delivery, land, livelihoods, and housing are all closely related in this case as well.

However, in the post-apartheid era, the right to housing is presented as an issue of service delivery rather than one of past exploitation and inadequate land reform (particularly in metropolitan areas) (SERI 2013, 6). The layout and location of state-provided housing still harks back to the apartheid era, and the current RDP housing policy is ineffective because it does not integrate people of different races, religions, or classes, leaving lower-class communities geographically isolated and contributing to a divided and isolated South Africa (Tissington 2011, 34).

Moreover, access to other services is not assured by the availability of housing. For instance, even though the proportion of families with access to sanitation services increased by 7% in 2014; 22% of respondents said they "felt that their physical safeties were threatened when using the toilet," indicating an increasing concern about sanitation-related safety (StatsSA 2015, 13). Poor sanitation complaints highlight the rifts in the relationship between the state and society, wherein the fundamental provisions put in place by states have been weakened by inconsistent or subpar service delivery. As a result, activists have made dignified sanitation a priority. Because of the deterioration of infrastructure, 3.8 million households in official areas lack adequate sanitation (SAHRC 2014, 13).

The second main cause of conflict, economic isolation has not improved. South Africa has been characterised as an enclave economy with a reliant and marginalised "permanent under-class," as evidenced by its unemployment rate of 27%, the highest in eleven years (Mbeki 2016). In order to "address historical backlogs, support industrial restructuring, and reform financial and labour markets, among other things," the state-led RDP strategy of 1994 placed a strong focus on state intervention to open markets beyond racial and geographic boundaries, reaching former homelands and rural areas (Habib and Padayachee 2000, 261).

These lofty goals, meanwhile, have not yet been accomplished. With 111 000 fewer jobs in the informal sector in 2016 and South Africa experiencing stagflation, the

working class and the unemployed have had to deal with growing anxiety as they finally face a ratings fall (Africa 2016). Though they have been successful in reducing poverty, state-led initiatives like the Community Works Program (CWP), the Extended Public Works Program (EPWP), and the distribution of social grants have not been able to provide long-term employment, particularly for young people. Additionally, rising unemployment rates and the delegitimisation of major unions have been used as leverage to deflate calls for raising the minimum wage across a range of industries.

As demonstrated in the conflict interests of different actors in the economy, marginalization in post-apartheid South Africa is complex because of its gendered and racialized manifestations. Race and gender distinguish the nature of economic participation, as black South Africans comprise the largest portions of those unemployed, or engaged in informal and low-paying sectors. Assessing the vulnerability of women in the labor market since the 2008 financial crisis until 2014, Goga (2015, 31) finds that women are significantly more vulnerable than their male counterparts: In 2014 alone, the unemployment rate of women was 31%, six percent higher than men.

Vertical cohesion, which is understood to refer to the relationship between citizens and the state, has been weakened as a result of the state's failure to effectively address economic exclusion and inequities in service delivery. This is because people no longer trust government institutions to deliver, in part because they are corrupt. Because different identity groups view themselves in relation to their unequal access to state services and economic opportunities across historical racial, gendered, and class lines. There has been an unintended consequence of this declining vertical cohesion: limited horizontal cohesion (interpreted as the relationship between citizens or groups in society). Therefore, rather than effectively engaging with policing services, protests for basic amenities in primarily black communities are portrayed as traffic problems for middle-class commuters or as racialised experiences of violence that cause citizens to become distrustful. The ANC's tactic has been effective at garnering support among the black majority where race continues to be a prominent predictor of socioeconomic wellbeing. The ANC's declining majority vote reflects perceptions of inadequate local governance as well as changing identity narratives. During protests and violent

incidents, the ANC condemns separatism and calls for unity as outlined in the constitution, but during election seasons, it employs racial rhetoric that pits various identities against one another. Mistrust of the Democratic Alliance, the main opposition party, which has a majority white leadership and frequently calls for non-racialism, is fostered by this inconsistent racially charged rhetoric. This changing narrative has proven alienating to certain groups. In South Africa's developing democracy, as citizens compete for political, economic, and social space, the viability of the reconciliation plan outlined during the political settlement has also been questioned.

2.3.7.4. Niger

Niger is located in the centre of a volatile region that includes armed movements in central Mali, intercommunal conflict and state breakdown in southern Libya, and political and religious turmoil in northern Nigeria. It has been indicated that Niger had 30 years of authoritarian governments that only permitted interactions with its people through subjugation or conflict shortly after gaining independence. After then, there was a turbulent transitional phase with many coups from 1992 to 2011. A participatory public debate on a new constitution, which accompanied the 2011 democratic transition garnered significant public attention on issues like the length of election mandates, the educational attainment of elected people, and the role of the state.

Numerous social groups, including unions and associations, participated in these discussions. These groups frequently employ both contemporary tactics, like social media, and more conventional ones, such strikes and protests. These groups have played a significant role in Niger's democratic transition and were present at the 1991 National Conference, the 2005 "la vie chère" citizen mobilisation on the expense of life, and the 2018 and 2019 protests against the budgetary measures. The framework's emphasis on the type of negotiating and political and social discourse, including the approval of authority through elections, are aspects of governance that are still relatively new, and society is only gradually adjusting to them.

Tidjani's (2019) the empirical typologies are in line with observations regarding the social contract in Niger. Considering its degree of state capacity, Niger is a nation with considerable civil capacity. This also highlights the importance of democracy (both in its electoral and associative forms), a key tool for negotiating the social compact, and the public discussions surrounding constitutional revisions, which imply that the state's openness is a sign of its resilience. Literature claims that in contrast to other nations in the region, Niger has a social contract that is comparatively quite robust. This could be connected to why Niger is faring better than some of its neighbors that have recently been experiencing social unrest and conflict (World Bank, 2021).

2.3.7.5. Somalia

Somalia has been a quintessential example of state fragility since the fall of a central government in 1991. In addition to causing numerous humanitarian catastrophes within the broken nation, the crisis spread to nearby nations, endangering regional stability and border security throughout the Horn of Africa. In light of these severe repercussions, the international community has spent a great deal of money trying to reconstruct a responsive and cohesive Somali state during the last 29 years. However, the road to effective state reformation in Somalia is still a long way off after innumerable failed and incipient peace attempts. Somalia only shows up on one of the three compasses in the preceding section because to data restrictions. Due to low alignment and low openness, Somalia's social contracts appear to be among the least resilient in the region, according to the resilience compass. Ahmand's (2019) the paper proposes a conceptual model of the social contract that consists of three fundamental agreements that define and mould Somalia's political and security environment. These include: (1) the relationship between the federal government and its international partners, which leads to both dependency and alienation from the populace; (2) the two-level agreement negotiated between the central government and local strongmen, which interferes with the governmental-citizen relationship; and (3) the coercive relationship between Al-Shabaab and the populace, which coexists with the agreements made with the government and local strongmen.

The most concerning is that Al-Shabaab, a violent rebel group, has successfully created its own coercive agreement with its population, while the official government finds it difficult to build a direct protection-taxation relationship with them. The insurgents have created plans to impose its rule of law on people from different clans and impose direct taxes on them over vast areas of the countryside. These insurgents have created a protection-taxation relationship that is similar to a primitive social contract between the state and its citizens, despite the fact that their tactics are incredibly harsh. Al-Shabaab has mastered the art of taxing and governing local people, while the legitimate government has found it difficult to establish a direct relationship with its residents.

So why has the Somali government failed to create a workable social contract with its people, while Al-Shabaab has been more successful in enacting direct protection taxes across clan lines? By analysing the social contract's fragmentation and simulating agreements as rival protection-extortion schemes, these agreements have produced twisted incentives that push those in positions of authority to act in ways that are detrimental to state consolidation. This has made it more difficult to establish a regular social contract between the state and its citizens by unintentionally promoting these perverse processes through international assistance for the Somali state.

2.3.7.6. Nigeria

It has been determined that for Nigeria to experience increased and shared prosperity, the social contract must be strengthened (World Bank, 2019). Building a strong and inclusive social contract out of a highly regionalised, sectarian, multiethnic, and multireligious society where oil revenues are paramount was Nigeria's post-colonial nation-building problem. As the nation descended into civil conflict between 1967 and 1970, the need to create an inclusive social contract grew. Nigeria is distinguished by a long-lasting political agreement supported by oil and run according to fiscal federalism. Nigeria addresses this risk mainly through a vast institutional federal apparatus that seeks to guarantee that all groups have protected access to public resources. Despite being a diverse pluri-ethnic society, the centralised accumulation of oil resources runs the risk of tipping the power balance in favour of one group.

The indicators in the previous section highlight a number of important facets of Nigeria's social contract, including inadequate state (and civil) capacity, limited social inclusivity, and concerns about state legitimacy that undermine state ability. Nevertheless, these metrics always present a broad view and fail to capture the factors that contribute to the specific form of the social contract. The competence, efficacy, and responsiveness of various sectors and ministries, states within the federation, and even municipal and local government levels vary greatly under a complicated federal system like Nigeria's. Therefore, in Nigeria, the issue of civil capacity also needs to be carefully considered. Political and electoral violence, rivalry over access to oil profits and rents, and the existence of two significant insurgencies during the past ten years are all reflected in the absence of citizen cooperation.

Watts (2019) contends that the state's appropriation of oil profits, which resulted in the creation of a "elite cartel" at its core, is how post-colonial Nigeria created a social contract. The relationship between Nigeria's vast, intricate, multireligious, and multiethnic community and its state-controlled oil resources has influenced the country's social compact. Through a multi-ethnic provisioning pact, oil earnings since the 1970s have refocused an already contentious social contract around rent distribution. An unstable, exclusive, and volatile social compact was created by a multi-party democracy starting in 1999 and was maintained by an elite consensus over the allocation of power and rent. Excluded groups try to challenge this resource distribution using a variety of tactics, including protests and acts of violence.

Nigeria has established a number of official and informal institutions over the years that serve as a social compact between the state and its population. These institutions are intended to generate legitimacy and consent from competing ethno-regional groups. These have included: i) fiscal federalism, which is the official division of oil revenues among the federal, state, and local governments; ii) a "federal character," which is the equal representation of all 36 states in the federal cabinet, the army, and the public sector; iii) political zoning, which is the division of the 36 states into six "geopolitical regions"; iv) presidential "rotation," which is an unofficial agreement to alternate the presidency between the North and the South every eight years; and v) petroleum

subsidies, which are the allocation of oil profits to citizens in the absence of comprehensive social welfare and public goods (education, health, social protection, and infrastructure).

Indicators of the social contract highlight a number of important facets of the Nigerian social contract, including inadequate state (and civil) capacity, insufficient social inclusivity, and concerns about state legitimacy that undermine state ability. Nevertheless, these metrics always present a broad view and fail to capture the factors that contribute to the specific form of the social contract. The competence, efficacy, and responsiveness of various sectors and ministries, states within the federation, and even municipal and local government levels vary greatly under a complicated federal system like Nigeria's. Therefore, the issue of civil capacity in Nigeria also needs to be carefully considered. The absence of citizen cooperation is a reflection of political and electoral violence, competition for access to oil revenues and rents, and the existence of two significant insurgencies over the past ten years (World Bank, 2021).

2.4. The relationship between the constitution, human rights and social contract

All people, regardless of their nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status, are entitled to human rights. Everyone has the same, nondiscriminatory claim to human rights. All these rights, however, are inseparable, interdependent, and connected (United Nations, 2024).

In the form of treaties, general principles, customary international law, and other sources of international law, universal human rights are frequently stated and guaranteed by law. Governments are required by international human rights legislation to take specific actions or refrain from taking specific actions in order to protect and advance the fundamental freedoms and human rights of individuals or groups (United Nations, 2024).

Human rights are social declarations. They imply both societal responsibility and individual privilege. To address people's claims, the state must expand its institutions and processes and plan and mobilise resources as needed. Laws, organisations, processes, and other protections against tyranny and against dishonest, ineffective, and

corrupt people or agencies are necessary for political and civil rights (Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, 1998). Taxation, spending, and a system of social welfare agencies are necessary for economic and social rights. According to the concept of human rights, society must also establish a system of remedies that people can use to get the advantages to which they are legally entitled or to receive compensation for losses they have suffered. The fundamental rights that all people possess simply by virtue of their humanity and that no government can create or take away (Ramkissoo, 2016; 5).

Supported by several international conventions and treaties (such as the United Nation's Universal Declaration of Human rights in 1948), these include cultural, economic, and political rights, such as right to life, liberty, education and equality before law, and right of association, belief, free speech, information, religion, movement, and nationality (Ramkissoo, 2016; 3). Promulgation of these rights is not binding on any country, but they serve as a standard of concern for people and form the basis of many modern national constitutions. Although they were defined first by the Scottish philosopher John Locke (1632-1704) as absolute moral claims or entitlements to life, liberty, and property, the best-known expression of human rights is in the Virginia Declaration of Rights in 1776 which proclaims that "All men are by nature equally free and independent and have certain inherent rights, of which, when they enter a state of society, they cannot, by any compact, deprive or divest their posterity."

The foundation of the human rights idea is the conviction that all people have the right to exercise their rights without facing discrimination. One significant implication of these traits is that human rights (sometimes known as "the rule of law") must be legally protected (Mahlman, 2023).

In addition, any disagreements regarding these rights ought to be brought before a qualified, unbiased, and independent tribunal for resolution, using protocols that guarantee complete equality and justice for each party and settling the matter in conformity with explicit, particular, and established laws that are publicly known and openly stated.

The necessity to shield people from the (arbitrary) use of state power gave rise to the concept of fundamental rights. Therefore, at first, attention was drawn to the rights that require governments to abstain from particular acts. This area of human rights is commonly known as "fundamental freedoms." Human rights act as a guide and benchmark for law since they are seen as essential to living a moral life (Icelandic Human Rights Center, 2004).

Thus, human rights are regarded as egalitarian (the same for everyone) and universal (applicable everywhere). Both national and international law may recognise these rights as legal or natural rights. A pillar of public policy worldwide has been the concept of human rights in international practice, international law, global and regional institutions, state policies, and non-governmental organisation operations (Sener, 2021; 17).

Human rights are derived from a number of ideas. The Philosophy of Human Rights is the name given to this. The goal of human rights philosophy is to investigate the fundamental source of the concept of human rights and critically evaluate its meaning and justification (Sener, 2021; 17). The evolution of the concept of human rights has been explained by a number of theoretical stances. In order to develop the concepts of human rights, the English philosopher Thomas Hobbes proposed the existence of a fictitious social contract.

Ronald Dworkin contends that a hypothetical agreement cannot bind any actual person (Dworkin, Ronald (1975). It must be demonstrated that hypothetical parties to the contract can consent to be bound by some principle governing social arrangements in order for the hypothetical analysis to make sense. From then, the concept of a prescribed right or set of rules that will bind the populace is born. According to the social contract hypothesis, all men are bound and connected to one another by a social contract. Throughout society's evolution, humans have bonded together in tiny groups before expanding them into larger ones. To safeguard them, the groups initially created a few laws and rules. After that, they sought to ensure that their rights were upheld in the community they were a part of (The lawyers and Jurists, 2024).

According to Locke's philosophy, every human being has rights and assets. Naturally, a man's physique is his most valuable possession and every man working and has the potential to benefit from the payoff. The relationship between social contract theories and human rights is appropriately inferred from the explanations of these two topics above (Locke, 2003).

2.4. Service delivery conceptualized within the social contract theory

A thorough description of the social contract is necessary in order to comprehend the connection between service delivery and social contract. For many centuries, the social contract notion has served as the foundation for Western conceptions of citizenship and government (Okeng, 2024; 6). It refers to a written or unwritten agreement that regulates how people and organisations behave in their families, communities, workplaces, or countries. The social contract is "a dynamic agreement between state and society on their mutual roles and responsibilities," according to a World Bank-commissioned paper (Cloutier et al, 2021). This definition contains three core aspects that also apply to the notion of a social contract in Africa (Okeng, 2024; 6).

The citizen-state agreement is the first fundamental component; social results inform the social contract's contents; and resilience and dynamicity are learnt from how a social contract satisfies people' expectations (Cloutier 2021; 3). The relationship between the state and its citizens is referred to as the "social contract" in contemporary usage. It describes a scenario in which the state's power over the populace stems from their election-related consent, which it obtains in exchange for maintaining the general welfare (Royce 2010; 45-62).

The idea of a social contract evolved as a philosophical framework of government to combat anarchy. In other words, it resulted from humanity's recognition that a state of lawlessness where "might is right" is detrimental to human welfare (Okeng, 2024; 6). People who believe in a social contract voluntarily give up some of their rights under a "state of nature" in order to profit from cooperative relationships under organised governance (Taylor, 2015; 4). Because the coercive conflict that defined the apartheid

system may be characterised as a state of nature, this idea of a social compact is important for South Africa, as will be explained later.

2.4.1. Historical overview of social contract in South Africa

The international community's sanctions to end systemic discrimination make it clear that the apartheid regime was illegal because of its oppressive nature (Booth, 2003; 477-493). The African National Congress (ANC), the Pan African Congress (PAC), the Inkatha Freedom Party, and other political organisations led the opposition to apartheid. For example, the statement in the Freedom Charter which states that "South Africa belongs to all who live in it" was adopted by a number of political parties in 1955 (Yung and Shapiro, 1995; 270).

In South Africa racial segregation persisted in spite of this Freedom Charter. Many anti-apartheid leaders were persuaded by the Sharpeville massacre in 1960 that peaceful measures were not viable for achieving their goals. Consequently, armed wings were formed by both the ANC and the PAC, but neither organisation constituted a serious military threat to the Apartheid State. Many freedom fighters, including Nelson Mandela, were imprisoned as a result of the increasingly violent nature of political disputes. His detention from 1963 until 1990 helped to mobilise international support for the anti-apartheid movement and resulted in significant international sanctions against South Africa. Racial segregation was replaced by a constitutional democracy that claimed to protect the rights of all South Africans when the majority of the population finally gained control of their political destiny.

The goal of the new constitutional regime was to stop the persecution of the majority Black population and to safeguard everyone's socioeconomic rights. A social contract served as the foundation for this drastic change in governing principles. As a result, effective service delivery and a social contract are related. The representatives of the people who participated in the Convention for a Democratic South Africa to negotiate the end of apartheid solidified constitutionalism (Rantete and Giliomee, 1992; 515-542). During these negotiations an agreement was reached between the political parties to limit the powers of the three formal organs of government:

Legislative power (law making), executive power (law implementation) and judicial power (adjudication of legal disputes) (Rantete and Giliomee, 1992; 515-542). This constraint or control of governmental operations acknowledges that authority is employed for specified aims and within predetermined bounds. It also accepts that the use of power is subject to judicial review and aims to protect the social contract. In this sense, constitutionalism, the social compact, and efficient service delivery are derived from a body of laws and norms that the general public generally recognises as the declaration of their rights and obligations to the government. Therefore, by rejecting apartheid and adopting a constitutional system of government, South Africa established a social contract between the government and the people, with the aim of achieving good governance. This historical overview makes it abundantly evident that South Africa's current political system was put in place a social contract to promote the general welfare and give people the chance to reach their greatest potential. According to the concept of a social contract, citizens have an actionable claim for welfare once elected officials fail to uphold their end of the bargain. Good governance and service delivery are closely linked to the political concept of the social compact.

2.4.2. The ambit of service delivery

In the context of public government, service delivery refers to the state's duty to provide citizens with necessities such as housing, water, sewerage, energy, healthcare, and other infrastructure needed for human survival (Biljohn and Lues, 2020; 229-241). The literature on the subject demonstrates two primary viewpoints on efficient service delivery in developing countries, including South Africa.

The first viewpoint in the literature links service delivery to the efficiency of institutional systems. For example, Koelble and LiPuma (2010) argued that a number of institutional flaws contribute to South Africa's poor service delivery, such as the lack of technical competencies affecting local officials in the core areas of electrification, basic water and sanitation, and refuse collection, incoherence in national policy towards rural and urban development, and inadequate financial controls and competencies (Koelble and LiPuma, 2010; 565-589).

According to Kenosi (2011) a culture of inadequate record-keeping encourages poor governance and subpar service provision. Some, like Mathenjwa (2014), think that the main cause of South Africa's subpar service delivery is the overabundance of duties transferred from the national and provincial levels of government to local government (Mathenjwa, 2014; 181). Since towns are unable to execute their duty to provide basic services without ongoing support from the federal, state, and local governments, this undue weight on local government leads to an imbalance in governmental functions. According to these perspectives, the legacy of apartheid and its institutionalised racism are partially to blame for the low level of support for local government. According to some scholars, apartheid gave priority to providing services for white-only, segregated communities, showing little or no regard for the areas where the majority of South Africans reside (Sithole and Mathonsi, 2015; 14).

The second perspective on effective service delivery links public officials' technical skills and dedication to provide basic amenities. According to this actor-oriented perspective, individuals are held accountable for subpar service performance. As a result, it highlights human factors that impact the government's capacity to offer essential services, including corruption, ethnicity, political interests, religious inclination, and a lack of skills. Strong human agency can compensate for the shortcomings of institutional procedures, which is arguably the opposite of this viewpoint.

The authors argued that South Africans have had better access to basic services since 1994 solely because of political commitment to change, using a comparison between middle-income nations and the apartheid era. They also contend that creating a viable, post-apartheid state is a long-term endeavour that calls for coordinated action even though better service delivery has only slightly reduced poverty levels (Palmer, Moodley and Parnell; 21).

Scholars argue that capability not capacity, should be used to evaluate the state's supply of essential amenities, their work is important to the social contract theory. In their words, "human, natural and financial resources, and systems, but also the values, relationships, and organisational culture" of government agencies are all part of the State's capability (Palmer, Moodley and Parnell; year?? 9). As a result, authorities can

use their authority in a way that is transformative and acknowledges the gradual realisation of fundamental facilities. This argument is important since the Constitutional Court rejected the states' fundamental duty to uphold socioeconomic rights (*Nkokotyana v Ekurhuleni Metropolitan Municipality* 2010 4 BCLR 312 (CC)).

According to the idea of the minimum core obligation, states must guarantee that the economic, social, and cultural rights of their inhabitants are at least minimally protected.. Regardless of the state's level of resource availability, this demand still exists. The United Nations Committee on Economic, Social, and Cultural Rights, a group of impartial specialists that oversees signatory governments' observance of the International Covenant on Economic, Social, and Cultural Rights, created the idea in 1990. According to what the Committee said, "each State party is required to satisfy, at the very least, minimum essential levels of each of the [socio-economic] rights" (United Nations Committee on Economic, Social and Cultural Rights, General Comment No 3: The Nature of States Parties Obligations (Article 2 Para 1 of the Covenant) UN Doc 12/14/1990 (1990)).

The concept of the minimum core obligation gives states the freedom to implement socio-economic rights over time, "depending upon the availability of necessary resources, rather than requiring them to guarantee [all] rights immediately" (Young 2008; 121). The minimum core method should be used by South African courts to ensure service delivery. The state is required to uphold the justiciable socioeconomic rights just by virtue of their inclusion in the constitution. Regardless of one's stance on the minimal core idea, the fact remains that providing services is the primary duty of the government, and its failure to do so incites public outcry (Alexander 2010; 25-40). In this sense, service delivery is a human right whose violation should attract remedial action.

Furthermore, service delivery underlies the concept of developmental governance and the obligation of the constitutional State to provide basic amenities (Mogale; 215-243). Indeed, the Local Government White Paper describes developmental governance as the commitment of local government to "working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives." The White Paper enjoins state officials to

priorities service delivery to disadvantaged individuals and groups in communities who have historically been marginalized or excluded from the equitable distribution of basic amenities.. In short it demands that government must play a developmental role in nation-building by taking reasonable steps within the available resources to ensure that all South Africans have access to adequate housing, health care, education, food, water and social security. This demand is in furtherance of the constitutional requirements for social transformation.

2.4.3. Interface of service delivery and social contract

The idea of a social contract and service delivery are intimately related since cooperative behaviour by public officials improves performance (Edwards 2008; 65-85). Scholars acknowledge that a system of cooperative governance is envisioned in the South African constitution (Mathenjwa 2014; 87-110). Cooperative governance generally views public administration as a collaboration among the several branches of government. It aims to improve cordial ties between government agencies in order to guarantee that the government provides services to the public in a sustainable and effective manner (De Villiers 1994; 430-437). Cooperative governance practically "implies that sub-national and national jurisdictions have certain political and legal obligations to support and consult one another on matters of common concern, to cooperate and maintain friendly relations" (Edwards 2008; 66). Despite their apparent nature, these duties are difficult to accomplish because of the complexity of contemporary states. Constitutional states' operations are becoming more intricate, competitive, and budget-constrained (De Villiers 1994; 430-437).

Additionally, national, regional, and local governments are increasingly combining their legislative authorities. When combined, they need that the various governmental levels operate in tandem (De Villiers 1994: 430-437). Cooperative governance is beneficial particularly in post-conflict and stratified cultures like South Africa. Ethnic, religious, and cultural diversity in these kinds of cultures necessitates that the government "ensure public access to decision making, transparency of governmental processes, and for creating fully democratic societies" (De Villiers 1994; 431). For example, where a national government is composed of the dominant party, it may struggle to cooperate

with a regional government that is dominated by an opposition party. Also, many national governments are made up of coalitions, which make cooperation between civil servants difficult. Scholars believe that deviation from cooperative governance between the national, provincial and local government inhibits efficient service delivery (Koma 2010; 111-120). Arguably, it also violates the social contract. This is the context that informs the next chapter of this dissertation, which focuses on, how South Africa's legal framework encourages efficient service delivery.

2.5. Conclusions

This chapter explored the theoretical framework underpinning this study. It also explored the literature available on the subject matter. The next chapter will explore the methodology employed by the study.

CHAPTER 3: RESEARCH METHODOLOGY

3.1. INTRODUCTION

This chapter outlines the chosen research methodology for the study, which aimed to explore and gain insights into the state of social contract in South Africa during the 21st century. The research utilized a desktop methodology for data collection and analysis. The target population, study setting, sample size, sampling process, data collection tools, research paradigm, research design, and study setting are discussed in this chapter. The ethical issues surrounding the study are covered in this chapter as well.

3.2. RESEARCH PARADIGM

Research paradigms are the ideas and viewpoints that effectively assist you in organising your study. Researchers can readily grasp how to apply various theories and techniques for their study work with the help of these paradigms (Nicolas, 2024). According to the Merriam-Webster Dictionary, a search paradigm is defined as “a philosophical and theoretical framework of a scientific school or discipline within which the theories, laws, and generalizations and the experiments performed in support of them are formulated”. The study applies the critical theory paradigm which holds that social science is never completely objective. This worldview is primarily concerned with using rigorous scientific research to bring about societal change (Nicolas, 2024).

According to Nicolas (2024) the objective of critical theorists is to ask questions about knowledge and procedure to know how power is being used in investigating. They aim to create an egalitarian society for all the individuals with their freedom. Critical theorists use both qualitative and quantitative methodologies.

3.3. RESEARCH APPROACH

The strategies of inquiry used in research design are divided into three categories, namely qualitative, quantitative and mixed methods approaches, depending on the overall approach to data collection and analysis (Creswell, 2009:12; Mouton, 2001:143). Teddlie and Tashakkori (2009:4) note that the classification can also be called "communities of researchers" because researchers have been clearly divided into two camps: qualitative and quantitative. The study's method of inquiry was mixed methods, which is the combination of qualitative and quantitative methods with the goal of strengthening the findings by connecting, embedding, or combining the various data sets and findings at different stages of the research process. (Creswell, 2009:4; Denscombe, 2010:135; Leedy & Ormrod, 2010:144; Teddlie & Tashakkori, 2009:339).

3.4. METHODOLOGICAL DESIGN

Polit and Hungler (1999:155) define the research design as a plan, or framework, for carrying out the investigation in a way that maximises control over variables that might compromise the reliability of the findings. The researcher's overarching strategy for addressing the research questions that direct the study is known as the research design. Burns and Grove (2001:223) claim that study design increases the likelihood of acquiring information that may be related to the actual scenario by assisting researchers in planning and carrying out the study in a way that will help them achieve the desired outcomes. According to Leedy (1997:195), a research design is a study plan that offers the general framework for gathering data. It is a strategy for choosing research locations, participants, and data gathering techniques in order to address the research question(s) (MacMillan and Schumacher, 2001:166). Additionally, they imply that the goal of a well-designed study should be to provide results that are viewed as credible. According to Durrheim (2004:29), research design is a framework for strategic action that connects the execution of the research strategy and the research questions.

Research design is the framework or blueprint that guides the collection, measurement, and analysis of data in a study. It provides a structured approach to answering research

questions, ensuring that the study's goals are met in an organized, reliable, and valid manner. Research design is crucial as it directly impacts the study's quality, credibility, and findings (Hassan, 2024). This study employs desk research which is discussed in the next section.

3.4.1. Desk research

This study employed desk research. Desk research is a type of research that is based on the material published in reports and similar documents that are available in public libraries, websites, data obtained from surveys already carried out, etc. Some organizations also store data that can be used for research purposes. It is a research method that involves the use of existing data. These are collected and summarized to increase the overall effectiveness of the investigation. Through desk research the researcher is not conducting qualitative or quantitative research himself, but collecting data from the qualitative and quantitative materials which are already in existence and carried out by other researchers.

Desk research is considered suitable for this study for the following reasons: Typically it requires fewer resources than primary research, as data is already available, meaning the researcher can easily access information either from books, journals, thesis, and internet sources. Accessing existing data allows for quicker completion compared to collecting new data. The researcher was able to finish the research within a reasonable time, which could have not been possible if he had opted for another method of research. This study focuses on the whole of South Africa, and selecting a method such as qualitative and quantitative, involving interviews or questionnaires would have taken more time meaning that the research could have been completed after a long period of time. Desk studies provide valuable background information and inform future research directions (Soldy, 2024).

However, desk research also has its weaknesses. The reliability and accuracy of existing data can vary significantly, requiring careful evaluation. The researcher was very careful with the materials selected to ensure that they are relevant to the study. Locating

specific information can sometimes be difficult or require extensive searching. Although some challenges were faced the researcher was able to gather relevant materials which addressed the research questions and achieved the objectives of the study. Desk studies may not provide definitive answers to all research questions, necessitating further investigations (Soldy, 2024). Some questions can only be answered through other methods of research, but desk research was adequate to address the questions in this study. Although, further investigations may be necessary to examine the perceptions of South African citizens as far as the state of social contract is concerned in the 21st century and under the Government of National Unity.

3.4.2. Phenomenology

The study of phenomena, such as events, circumstances, or experiences, is referred to as phenomenology. It is the most effective way to add to the body of knowledge and to describe things from several perspectives. In the same way, it emphasizes personal experiences (Nova, 2017).

3.4.3. Study setting

The research setting refers to the place where the data are collected. The study was conducted in South Africa. The study does not focus on a specific province or region of the country. It accommodates the whole of South Africa.

3.5. POPULATION AND SAMPLING

3.5.1. Population

A population is a fundamental component of research technique, representing a group of people who share traits within a specific institutional or geographic area (Martínez Mesa et al., 2016). This idea creates the broad framework for developing research questions and hypotheses, laying the foundation for future investigations. The

population helps researchers explore a variety of phenomena by giving them a thorough insight of the group being studied (Martínez-Mesa et al., 2016). The target population, on the other hand, is a subset of the larger population under investigation and is distinguished by particular qualities or standards that are directly related to the research question (Alvi, 2016). Researchers can concentrate their investigations on population segments that are of particular interest or significance since this subset is defined according to criteria that match the goals and parameters of the study (Asiamah et al., 2017; Casteel & Bridier, 2021; Willie, 2022). Researchers can assure alignment with the study's goals and objectives by fine-tuning their sample procedures and research objectives after determining the target group (Alvi, 2016). This distinction is essential because it allows researchers to customise their methods and approaches to the needs and features of the group they are studying, which increases the findings' relevance and application. South Africa as a whole is the study's primary emphasis.

3.5.2. Sampling

The procedure by which researchers select a predefined number of observations for statistical analysis from a wider population is known as sampling. By sampling, researchers can examine a large group using a small percentage of the population. Depending on the type of study being conducted, sample approaches may include simple random sampling or systematic sampling (Tuovila et al., 2023). The study makes use of relevant material that addresses the phenomenon of social contract. The study does not only make use of material relevant to South Africa, but globally, in the lens of social contract.

3.6 Data collection

Polit and Hungler (1999:267) define data as “information obtained during the course of an investigation or study”. The study makes use of readily available material, to be located at library, on the internet, and or any other secondary material that can be used as data for this study. These include materials such as writings by Thomas Hobbes,

recent scholarly material by Ndinga-Kanga and Van der Merwe; and the likes of Africa Social Contract report. During data collection, the information acquired from these materials was paraphrased by the researcher to minimize plagiarism. This method assisted in making sure originality in the research.

In-depth knowledge of the connection between the government and its residents was made possible by using desk research and referencing. It offered a priceless chance to compile comprehensive and extensive data regarding the status quo.

3.7. Data analysis

The thorough process of examining, cleaning, converting, and modelling data in order to find relevant information, make inferences, and aid in decision-making is known as data analysis. It is a complex process that uses a range of approaches and strategies to analyse data from multiple sources in both organised and unstructured formats (Radar, 2024). Data analysis is more than simply a procedure; it is a tool that helps businesses anticipate trends, make well-informed decisions and increase operational effectiveness. It serves as the foundation for strategic planning in governments, corporations, and other institutions (Radar, 2024).

This study employed Social contract Assessment tool (SCAT) as data analysis tool. SCAT is a series of questions or 'lines of enquiry' aligned to the three sources of legitimacy, designed to gather data from people in any given governance system. The thoughtfully constructed questions in the SCTA adhere to a purposeful format and framework. Each category's opening question evaluates followers' expectations of leaders. The second evaluates what the leader expects from the followers. The third evaluates how well leaders are fulfilling their responsibilities, and the fourth evaluates how well followers are doing the same (Motive International, 2009).

3.8 Ethical considerations

Throughout the data collecting and analysis phase, efforts were made to uphold professionalism, follow ethical rules, and use rigorous research procedures to guarantee the study's validity, relevance, and reliability. The Basic and Social Sciences Research Ethics Committee (BaSSREC) at the University of Venda established rules for this study, which were be adhered to with considerable attention. The study does not involve participants, and no interviews were held because it is based on desk research, and all the materials consulted were duly acknowledged.

3.9 Limitations of the Study

The study is limited to the extent that it only explores the state of the social contract in South Africa. The study also uses desk research, which does not involve interviews of participants. The state of the social contract will only be fully understood based on what other researchers have already written, thus not illustrating the exact relation between the government and its citizens. The researcher was not able to gauge perceptions of the South Africans on their relationship with the current government.

3.10. Conclusion

The University of Venda's ethics committee granted ethical clearance to the researcher to conduct this study, guaranteeing the rights and welfare of the participants. The research methodology utilized in the study's execution has been given in this chapter. A qualitative method for gathering and analyzing data was explained. The research paradigm, research design, study environment, target population, sample construction, data collection techniques, ethical issues, and the study's credibility were discussed in this chapter. The study results given in the next chapter were examined using thematic analysis.

CHAPTER FOUR: SUMMATIVE EVALUATION OF THE STUDY

4.1. INTRODUCTION

The objective of this study was to provide a summative analysis of the state of social contract in South Africa. The study was based on extensive review of primary and secondary data sources. As an analytical tool, the World social contract 'Toolkit' of Gareth Evans was utilized and the effectiveness of various 'tools'.

The study's aim was to explore the state of the social contract in the 21st century South Africa. In order to properly establish the state of social contract in South Africa, the study also explores the state of social contract during the apartheid era. The study then explores the state of social contract after the ruling party took over through the 1994 elections. Last, but not least, the chapter explores events that led to the coalition governance, and what it means for South Africa's social contract. The findings are presented in a manner that addresses the following four primary objectives that sought to: explore the etymology of social contract in South Africa; explore the scope and nature of social contract during the -apartheid era; examine the changes and continuities in the scope and nature of social contract post-apartheid; and to explore what sustains social contract in the context of South Africa.

4.2. Followers' expectations of leaders

In reality, most of the content of social contracts is the consequence of repeated exchanges between the sovereign and the main social groups, or of the tacit approval of each other's behaviour. These kinds of repeated interactions formalise mutual duties and expectations (North, 1990; Avdagic et al., 2011). The content of social contracts is evident when any contracting party consistently provides specific things to any other party.

Social contracts typically require the sovereign (government) to supply things that fall under the "Three P's": Protection can take many forms, such as (i) group security against external threats from other nations; (ii) personal security against physical threats, such as robbery, murder, illnesses, or environmental damage; and (iii) legal security, or the rule of law, which consists primarily of the existence of laws themselves as well as their enforcement, particularly the protection of human and civil rights; The provision of fundamental services, including jobs, a favorable business environment, government contracts, and access to resources (land, water, etc.); infrastructure (utilities, transportation, communication, etc.); social services (health, education, social protection, etc.); an involvement of every person in various governmental decision-making processes. Most of these things falling under the Three P's are fundamental rights in South Africa, enshrined in the South African Constitution, 1996.

These three deliverable groupings align with conceptions of the authority, legitimacy, and capacity, the three fundamental roles of the state, as viewed from comparative politics (Grävingholt, Ziaja, & Kreibaum, 2015). Sovereigns gain the legitimacy of their subordinates by satisfying all three requirements, at least partially, and are therefore able to rely less on repression to maintain their power. On the other hand, even in cases where the social compact is upheld, the failure to meet one or more of these deliverables results in instability or even state fragility. Nations might not be able to provide the three Ps: Some nations struggle primarily due to a lack of official authority when it comes to protection (particularly with regard to the personal safety and security of their residents). Lack of governmental capacity causes some countries to fail primarily in terms of provision (e.g., of infrastructure or social services); some countries fail mainly in participation while other nations fall short in each of the three governmental duties. They fall short in terms of protection, involvement, and provision because they are feeble or even dysfunctional in terms of state authority, legitimacy, and capacity. Regrettably, more and more nations are falling into this group, which raises the possibility of armed conflict or perhaps civil war.

South Africans expect service delivery from the government. This service delivery falls within the three P's discussed above. Some of the issues that South African's have

stressed for over the years include jobs, water, sanitation, and the most recent one being electricity. This is alleged to be due to corruption on the part of the government, which has led to non-provision of services.

4.3. Leader's expectations of followers

Scholars note that governments demand deliverables from society in exchange for compliance, affirmation, or at the at least, acquiescence, in the legitimacy of its regulations, and loyalty in the face of disagreement (Kinninmont, 2017; OECD, 2009, 17). Thus, accepting the government as it is, is society's primary deliverable. In addition, governments have the authority to compel citizens to perform "national" tasks like civil service or the military or pay taxes. Thus, citizen compliance is the essential element of the social contract. The social contract that now exists breaks down when a significant portion of the populace publicly rejects the government, even though the government may, at least in part, replace the deliverables of protection, participation, and provision. More crucially, the government always fails because, while a nation may (temporarily) function without a social compact, a government cannot function without one.

In the South African context, the government expects people in South Africa to pay taxes; to affirm the decisions they take and to remain loyal to them in situations where they are being opposed. This support by citizens should be demonstrated through votes in both national and provincial elections. The ruling party expects their voting support to either remain the same or to increase. A decrease in voting support may suggest that their supporters are disagreeing with them or are no longer loyal to them. The next subsection of this chapter discusses how well leaders are meeting their expectations.

4.4. How well leaders are meeting expectations

This subsection of the chapter focuses on the third question that the world social contract 'Toolkit' asks. This is 'how well leaders are meeting expectations. In addressing this question this subsection focuses on two core era's underlying this study, namely,

“the apartheid era” and the “post-apartheid era”. The discussion below will examine how well the leaders met the expectations during the apartheid era, and how well the leaders are meeting the expectations in the post-apartheid era.

4.4.1 Apartheid era

The social contract between the government and the people of South Africa during the apartheid era can best be described as a racial contract. Mills (1992) makes the case that because the Racial Contract was non-consensual, it was never a contract. In Mills' (1992, 87) statement, "If the Racial Contract constructs its signatories, those parties to the contract, as "white persons," it also attempts to transform its victims, the objects of the contract, into the "nonwhite sub persons". It specifies" this idea is aptly distilled. In the hierarchy it creates, this contract places the weaker group at the bottom and separates people into human and subhuman categories. Nonetheless, the contract itself was a violation of the contract since the non-whites here referred to as subhuman or savages, and the whites, here referred to as humans or persons never had an agreement. The denial of human dignity to this subhuman was characterized by "the exploitation of their bodies, land, and resources and the denial of equal socioeconomic opportunities to them," (Mills,1992, 11). It can therefore be argued that the status of the social contract during the apartheid era was racial where white people entered into a contract with black people, without their people's consent to the contract. This type of contract is considered to not be a contract by Mills (1920) because it lacks consent.

Worden (1994) blames racism in South Africa on the spread of European colonialism, which was a component of the mid-nineteenth-century scramble for Africa and its idea of "civilizing inferior natives". The Darwinist ideas of hierarchy and evolution that were applied to humans are consistent with this alleged civilization. White people believed they were at the top of the evolutionary spectrum because of Darwinism, which was demonstrated by their technological advancements and imperial expansion. According to Worden (1994), the Gesuiwerde Nationale Party, a 1934 splinter organisation from the Hertzog's National Party, adopted apartheid as its slogan and gained popularity among Afrikaners in the 1940s. The discussion below focuses events that took place

during the apartheid era under the apartheid government to clearly elaborate the state of the social contract during those times.

4.4.1.1. Separation of Black people

Apartheid was not just a system of racial discrimination; it also enforced the segregation of Blacks and Whites in the workplace, government, and housing markets. Because it was well ingrained in the political, social, and economic framework of the entire nation, it was ubiquitous. The Nationalist Party passed several laws to carry out its divide and conquer strategy. Among the most well-known were the ban on mixed marriage, the Immorality Act of 1950, the Group Areas Act of 1950, which encouraged the comprehensive and mandatory segregation of black and white residential areas, the Reservation of Separate Amenities Act of 1953, which mandated segregation in the use of public facilities like transportation, movie theatres, dining establishments and sports facilities, and Bantu Education Act of 1953, a policy for separate schooling and curriculum on the basis of race and the abolition of missionary schools introduced a curriculum which emphasized Bantu Culture. The Verwoerdian rhetoric of, Bantu culture was presented as largely rural, and static and was a clear attempt to create a limited vision of Blacks within the broader context of South Africa (Hartshorne, 1992; Worden, 1994).

The introduction of Bantu education was not without its difficulties, according to Hartshorne (1992); it encountered some setbacks because of resistance by black people which took the form of popular protests by urban blacks. The majority of them worked in the mining industry became a threat, a deterrent, and an obstacle that the Nationalist Party had to deal with over the decades until its demise in the early 1990s. This opposition was fueled by the apartheid system's restrictive force, which was reinforced by its oppressive laws, especially the Bantu Education Act, the compulsory relocation legislation, and the urban influx control laws, sometimes known as the pass laws (Worden, 1994). Leaders and adherents of liberation movements like the African National Congress and the Pan African Congress, along with labour leaders, persisted

in organizing resistance through boycotts, strikes, and civil disobedience despite police attacks. The historic Freedom Charter was drafted in Kliptown in June 1955 by the African National Congress in cooperation with other liberation parties such as the Congress of Democrats, Indian Congress, and the South African Colored People's party. The Freedom Charter was a set of complaints and requests that eventually served as the benchmark for later resistance campaigns led by the African National Congress.

The Nationalist Party responded to this opposition by strengthening its hold on power during the "second phase" of apartheid in the 1960s by enacting the General Law Amendment Act of 1963, which increased the size of the police force and granted law enforcement more authority. This implied that governmental control was even more ruthless and powerful. The Sharpeville massacre in 1960 which claimed hundreds of lives is a salutary example. Nelson Mandela, the leader of the ANC was given a life sentence in jail in 1963 as a result of the Treason Trial because the apartheid government was determined to silence the people who were the driving force behind the liberation movement.

4.4.2. Post-apartheid

As part of the Reconstruction and Development Programme (RDP), which promised freedoms to all South Africans, key socioeconomic rights were outlined during the 1994 election. According to Ferreira (2016), access to this right has been facilitated by social security benefits whose beneficiaries grew from 4 to 16.9 million since 1994. However, there were still issues with land access, lengthy housing waiting lists, ineffective police in high-crime areas, and the delivery of education and sanitation. In light of inequality, increased access to essential services has not improved the quality of that access; certain municipalities have persisted in giving historically white suburbs preferential resources, while underprivileged communities continue to struggle with a lack of resources (Social Justice Coalition 2016).

Less than 1% of formerly white-owned land had been handed to black South Africans by the end of 2001, falling well short of the ANC's pledge of 30% by 1999. This is the result of a delayed redistribution process that the ANC has been leading since 1994 (Mather 2002, 345). Since there are fewer sellers and more demand, the willing-buyer-willing-seller mechanism for land redistribution has been very slow. Due to the high rates of urbanisation, the problem has also spread to urban land. Those who were confined to racial enclaves on the outskirts of major cities during the apartheid era had to travel the farthest to work, earn the least, put in the most hours, and then return to neighbourhoods marked by crime and inadequate service delivery, land, livelihoods and housing.

But instead of focusing on past exploitation and inadequate land reform (particularly in urban areas) throughout the post-apartheid era, the right to housing is presented as a crisis of service delivery (SERI 2013, 6). The layout and location of state-provided housing still harks back to the apartheid era, and the current RDP housing policy is ineffective because it does not integrate people of different races, religions, or classes, leaving lower-class communities geographically marginalised and contributing to a divided and isolated South Africa (Tissington 2011, 34). Moreover, access to other services is not assured by the availability of housing. For instance, although the proportion of households with access to sanitation services increased by 7% in 2014, 22% of respondents felt that their physical safeties were threatened when using the toilet, indicating a growing concern about sanitation-related safety (StatsSA 2015, 13).

Poor sanitation complaints highlight the rifts in the relationship between the state and society, wherein the fundamental provisions put in place by the state have been weakened by inconsistent or subpar service delivery. As a result, activists have made dignified sanitation a priority. The magnitude of the service delivery difficulty is demonstrated by the fact that 3.8 million households in formal areas lack adequate sanitation "due to the deterioration of infrastructure" (SAHRC 2014, 13).

The second main cause of conflict, economic isolation has not improved. South Africa has been characterized as an enclave economy with a reliant and disenfranchised "permanent underclass" due to its unemployment rate of 27%, which is the highest in

eleven years (Mbeki 2016). In order to "address historical backlogs, support industrial restructuring, and reform financial and labour markets, among other things," the state-led RDP policy of 1994 placed a strong emphasis on state intervention to open markets across racial and geographic boundaries, reaching former homelands and rural areas (Habib and Padayachee 2000, 261). Nevertheless, these lofty goals have not yet been accomplished. With 111,000 fewer jobs in the informal sector in 2016, the working class and unemployed have had to deal with more insecurity. A ratings downgrade was finally imminent as South Africa battled stagflation (Africa 2016). Though they have been successful in reducing poverty, state-led initiatives like the Community Works Program (CWP), the Extended Public Works Program (EPWP), and the distribution of social grants have not been able to provide long-term employment, particularly for young people. Additionally, rising unemployment rates and the legitimization of major unions have been used as leverage to deflate calls for raising the minimum wage across a range of industries.

Marginalization in post-apartheid South Africa is complicated due to its radicalized and gendered expressions, as evidenced by the competing interests of various economic actors. Due to the fact that Black South Africans make up the majority of individuals without jobs or working in low-wage, informal industries, race and gender differentiate the nature of economic engagement. According to Goga (2015, 31), women are noticeably more vulnerable than men: Women's unemployment was 6 percent greater than men's, at 31% in 2014 alone.

4.4.2.1. Waning trust in political leadership negatively affecting horizontal ties

Vertical cohesion, which is understood to refer to the relationship between citizens and the state has been weakened as a result of the state's failure to effectively address economic exclusion and inequities in service delivery. This is because people no longer trust government institutions to deliver, in part because they are corrupt. Because different identity groups view themselves in relation to their unequal access to state services and economic opportunities across historical racial, gendered, and class lines, there has been an unintended consequence of this declining vertical cohesion: limited

horizontal cohesion (interpreted as the relationship between citizens or groups in society). Therefore, rather than effectively engaging with enforcement services, protests for basic amenities in primarily black areas are portrayed as racialized experiences of violence or traffic disruptions to middle-class commutes, which breeds mistrust among individuals.

The ANC's declining majority vote reflects perceptions of inadequate local governance as well as changing identity narratives. During protests and violent incidents, the ANC condemns separatism and calls for unity as outlined in the constitution, but during election seasons, it employs racial rhetoric that pits various identities against one another. The Democratic Alliance, the largest opposition party, which has majority white leadership and frequently appeals for non-racialism, is seen with suspicion as a result of this inconsistent, racially charged message, which serves to mobilize the resentment of unsatisfied communities. Since race is still a major indicator of socioeconomic wellbeing, the ANC's strategy has been successful in winning over the black majority. This changing narrative has proven alienating to certain groups. In South Africa's developing democracy, as citizens compete for political, economic, and social space, it has also questioned the viability of the reconciliation plan outlined during the political settlement.

4.4.2.2. Weakened by Social contract: core conflict issues

The National Planning Commission's primary policy planning tool, the National Development Plan, offers a convincing description of South African society's divisions and emphasizes the need for change and redress to right these wrongs (National Development Plan 2014, 18). The strategy, which looks to sports and recreation to foster social cohesion, has failed to address the underlying causes of inequality despite "recognizing the historical obligation for redress." Despite their potential to foster mutual understanding, sports have a relatively little overall structural influence as contributors to the systemic reorganization of society in favour of social cohesion (Barolsky 2013, 384). However, the NDP's real challenge goes beyond mutual understanding because it ignores basic issues like land reform, reparations, or equitable service delivery, which

are perhaps more important for lowering community violence, promoting social mobility among classes, and encouraging inclusive participation in democratic processes—all of which are essential for horizontal social cohesion and a robust social contract. Improved horizontal cohesiveness is not shown by other pertinent indicators: the percentage of South Africans who think racial relations are becoming better has dropped to 45%, a 15% decrease since 2004 (DPME 2014, 64). According to DPME 2014, 63, 67% of South Africans expressed confidence in a good future for all races in 2014. This represents an 18% decrease from 2004. 81% of respondents to the South African Reconciliation Barometer reported that one must exercise extreme caution while interacting with others, a five percent increase from 2011 (Sibusiso 2016).

According to Sibusiso (2016), 11% of South Africans had faith in other ethnic groups. Women have not felt safer as a result of advancements in vertical cohesiveness and participation in national processes. As a result, even though the percentage of women in legislative bodies has risen from 24% to 42% in just ten years, this increase in legislative representation has not had a significant impact on socioeconomic indicators, such as the fact that one in five South African women will experience sexual violence in their lifetimes or that income inequality is among the highest in the world.

These alarming statistics are reflected throughout socioeconomic indicators by race. According to Hofmeyr and Govender (2016, 1), 67% of respondents from all racial groups "believe that income inequality has either remained the same or gotten worse since 1994." Hofmeyr and Govender 2016 state that the "promotion of national reconciliation and, by implication, the reduction of racial polarisation has little chance of succeeding under the conditions that sustain these economic inequities," (Hofmeyr and Govender 2016, 12). "The 2014 SARB annual report, which reflects on reconciliation, shows an increasing trend of socialization between South Africans of different races" (Wale, 2014).

With the vast majority of South Africans falling into the lower range of the Living Standards Measure (LSM) 1–5, interracial socialization has only slightly increased from a very low base. Of the interracial socialization that has been documented, it is noteworthy that the majority of interactions take place in formal settings such as

shopping malls, workplaces, or public institutions, while interracial socialization in informal settings is less common (Hofmeyr 2016). Because of these factors, policy initiatives aimed at fostering social cohesion in society should focus on the factors that keep communities apart, such as unemployment and unequal service delivery, which hinder social mobility. The state must successfully address individuals' lack of faith in its institutions' ability to deliver if it is to properly address the lack of trust in society.

4.4.2.3. State-society relations on the brink

That Ubuntu continues to have policy legitimacy is a testament to the success of the post-apartheid reconciliatory narrative that has its roots in the political settlement. Beall, Gelb, and Hassim (2005, 690) concluded that by overstating reconciliation and the rainbow nation, the nation-building ideology was at risk of 'glossing over socioeconomic fractures and inequality.' Abrahams (2016) argued that this 'glossed over' version of social cohesion now faces a more sinister threat of political capture by insisting on a particular version of identity and patriotic alliance which 'instantiates a version of nation that is based on and produces a narrative that seeks to solidify the African National Congress's hegemony' (2016, 98). He further asserts that there is a need for re-politicizing social cohesion to emphasize 'social justice, solidarity and equality' (Abrahams 2016, 107).

The figures are telling, highlighting the waning trust in the state: in relation to state institutions, 35% trusted the court's 'a lot' in 2004 since declined to 24% in 2015. Nine percent trusted the police 'a lot' in 2000, peaking at 28% in 2004 and similarly declining to 14% in 2015 (Sibusiso 2016). In 2015, high percentages of the population felt that the Zuma administration performed badly in the provision of electricity (55%), food security (59%), job creation (77%), and crime reduction (77%) (IJR 2018). By pursuing an uncomplicated interpretation of social cohesion, the social contract in South Africa is founded on unstable ground. Oliphant (2004, 12) notes the difficulty in nation-making: the claim of 'nationhood' is less about the 'actual linguistic and cultural homogeneity of the people, but rather the territory of political sovereignty, no matter how fragmented or tenuous.' Unless the state effectively engages in the socioeconomic fractures in society,

it is at risk of losing political sovereignty, particularly as the reconciliation narrative fails to translate into meaningful change in the core conflict issues.

4.4.2.4. Harnessing activism to promote a resilient social contract for political and socioeconomic inclusion

An analysis of the social contract through the prism of the three drivers discussed above reveals key lessons for policymakers, activists and scholars seeking to better understand why the optimism for a democratic South Africa has since waned among the new generation. It highlights the importance of ensuring that political settlements address economic and social issues that belie the grievances that they seek to abate. Notably, the South Africa case highlights the ways in which collective action has carved out new forms of power that can shape the way in which institutions function – making them more economically and socially inclusive, more directly addressing the drivers of conflict unaddressed in the political settlement.

The political settlement which ushered in the democratic social contract in 1994 created space for a national identity to be built on a mutual benefit for the democratically elected state and its multi-racial base. CODESA, the constitution and even the transitional justice mechanisms were infused with a narrative of forgiveness and reconciliation, while at the same time political elites increasingly aligned their interests to those of the private sector resulting in favorable macroeconomic and taxation policies for the rich, while at the same time limiting the capacity for the state to deliver. The political settlement raised expectations for an inclusive economy that favoured the predominantly black working class, and that would transform the nature of socioeconomic exclusion through the rollout of core services. Thus, the narrative of horizontal cohesion, articulated as Ubuntu or reconciliation, served as surety for the concessions required for the ANC to take over from the NP. It would then be under the democratic leadership of the ANC that dignified services, human rights and economic opportunity would be realized.

However, since then, it has become apparent that the agreement between the state, unions, and business, and the compromises made, are in tension with the provisions espoused in the constitution, which reflected promises to all of society. Institutions have had limited function in addressing the historical nature of exclusion from service delivery and unemployment. This tension also emerges because of the failures of neoliberal macroeconomic policies to translate into broader employment opportunities for the typically black working class, a number of whom now live through the experience of their children being unemployed more than thirty years after the end of apartheid. There also emerges the experience of marginalization where the minimum standards that dictate the provision of certain services (like sanitation, education, or housing) do not adequately address the grievances of relative disadvantage that exist along geospatial and racial fault lines. This means that the poor, under-resourced, and unemployed continue to be black women.

However, there has been a change in the structure of elites, where the upper middle class is more likely to be racially diverse and access better services and employment opportunities. At fifteen percent of the population, the middle class is both diverse and not representative of the majority experience (BusinessTech 2016).

Taken cumulatively, the mistrust in the state, a key indicator of poor vertical cohesion, means that the state is perceived to be corrupt and aligned to the interests of a business elite, the lines between the two often blurring. This mistrust has resulted in the loosening of the tripartite alliance between business, government and labour with the latter experiencing the state as anti-labour. For the unemployed, the state's increasing alignment with the economic elite has meant that there is little faith that increased wages or unemployment will be radically addressed within the current framework. This reflection of weak vertical cohesion also translates into limited horizontal cohesion where the struggle for employment, service delivery, and participation are seen to be the struggle for justice against the systemic injustices committed during apartheid but with current-day resonance reflected in ongoing group difference. Thus, much like the student protests for the provision of free tertiary education, the service delivery and workers' protests all highlight the slow pace of transformation for the majority in the

country; oftentimes, the majority is black. This social mobilization, whether through protest or other mechanisms requires that the state take more seriously the demands of its base, lest the social contract gives way to increasingly violent means of engagement not only with the state, but also among citizens disconnected from the national narrative of reconciliation.

Unfortunately, the state's response to the social mobilization processes of civil society and others has been left wanting. In April 2016 State Security Minister David Mahlobo noted that the intelligence services would be monitoring those promoting 'unconstitutional change of government,' and NGO's fronting as 'security agents' (Merten 2016). Similar language has been used to describe striking mine workers and protesting students. Such actions on the part of the state cause damage to a state-society relationship whose strength is not only underpinned by notions of lack of legitimate authority, but also an understanding of the need for ongoing citizen mobilization for social change to address historical injustices. It is this very form of mobilization that has provided resiliencies for engaging with the state to meet its obligations. Supported by a mostly-independent judiciary, activists have put the rights of communities at the center of public discourse – whether this is in the form of social services or economic participation. Activists, particularly within civil society, have highlighted the plight of unemployed youth, women and children whose lives are endangered when using toilets, or who resort to protests when councilors are absent from the communities that elected them.

Thus, despite the availability of multisector engagement channels built into the post-apartheid dispensation, the poor response of political actors combined with a historical, individualized reading of rights has undermined state-society relations in the presence of already compromised horizontal relations, which too are strained by the geo-political economy that has remained untransformed since 1994.

4.5. How well followers are meeting expectations

4.5.1. Apartheid era

During the apartheid era, the goal was one that the apartheid reign should come to an end, and everyone be entitled to equal treatment and equal distribution of resources. The leaders who were against the apartheid government expected their followers to support them, take part in strikes and fighting back. On the other hand the Apartheid government expected their supporters who were the minority to keep voting for them.

4.5.2. Post-apartheid

The contract post-apartheid has shown an adverse change, since the coming into power of the current government in 1996. In 1994, the ruling party won the national elections with a majority of 62, 6%. In 1999 the ruling party won the elections with a majority vote of 66, 4%. In 2004 the ruling party also won the elections with the majority votes, obtaining 69.7% of the vote. This was the highest percentage received by the ruling party. The decline in support started during the 2009 National elections when the ruling party got 65.9% of the voters. In 2014 the ruling party was voted for by a majority of 62.2%, while in 2019, the ruling party obtained 57.5% of the votes (Statista, 2004).

In 2024, the ruling party lost the majority share in the national assembly elections in South Africa, with 40.2% of the vote. This was the lowest share of votes recorded since the introduction of the country's first democratic election in 1994. However, the 2024 election revealed a significant change in ANC voter support, with a 17-percentage point drop from the previous election year (Cowling, 2024).

4.5. SUMMARY

This chapter presented findings of the study and the analyses of the data gathered using the desk research method. The chapter used the World social contract 'Toolkit' to analyse the collected data. The findings of this study suggest a bad social contract between the government and the society in the post-apartheid South Africa. South

African citizens have decided to boycott the ruling the party leading to the formation of the Government of National Unity. , The next chapter presents overall conclusions and recommendations based on the study findings.

CHAPTER FIVE: CONCLUSIONS AND RECOMMENDATIONS

5.1. CONCLUSIONS

The study sought to explore the state of social contract in 21st century South Africa. It examined the state of social contract during the apartheid era and in the post-apartheid era in South Africa. The study was desk based, and thus did not involve collection of data through questionnaires or interviews. The study employed the World social contract 'Toolkit' to analyse the data collected through desk research. It was established that during the apartheid era the social contract between the government and the South African citizens was a bad contract, which was imposed on most people of colour, and only favoured white minorities. During the apartheid era fundamental human rights were suppressed and the racist's contract was used to ensure that resources were not distributed equally amongst South Africans. The most important factors to note is the segregation of blacks during the apartheid era; the Bantu education; and the discrimination leveled against women. It is also important to note that the apartheid government did not allow people of colour to vote in national elections, and the decision of the white minority was imposed on them. Furthermore, blacks were forced to adhere to the rules that they didn't have a say on. Service delivery during the apartheid era was distributed based on colour, which led to the government preferring the white minority over people of colour.

The society during the apartheid era expected to be treated equally and to be entitled to equal service delivery and fundamental rights. Which was not the case, as white minority were favored over people of colour. The government expected the people of colour to just adhere to their rules, this involved complying with being moved to different parts of South Africa against their own will, to being imposed to education of a very low standard (Bantu education). It seems as though the government and the society's expectations were different.

The current government assumed governance in 1996, after the first national elections, which also allowed people of colour to also cast their vote. The majority voted out the

apartheid government. The current government was entrusted with service delivery and ensuring that resources are distributed equally amongst all people of South Africa. The Constitution of the Republic of South Africa, adopted in 1996, incorporated fundamental rights that everyone in South Africa was entitled to. Although Human rights violations still persists, the Constitution played a pivotal role, and the result was satisfying.

The crisis in the post-apartheid era is the issue of service of delivery. This study has established that the South African society has accused the government for being corrupt over the years, and service delivery has been less satisfying. South African has experienced continuous strikes since 1994, and these strikes are mainly concerning service delivery. Many rights in the constitution cannot be exercised due to poor service delivery. The government has been supported by the majority since 1996 up until 2014 when the ruling party started experiencing a decrease in votes. . In 2024, we now have the Government of National Unity due to the fact that the ruling party could not secure majority votes in the national elections. What these voting patterns indicate is that people have lost faith in the ruling party, and have started boycotting the ruling party. This is the current state of affairs in South Africa. People's expectations have not been met over the years due to lack of service delivery and the ruling party has not been able to gain the majority vote suggesting a bad social contract between the ruling party and the people of South Africa.

Increasingly, the new generation of activists rejects rainbowism, and the compromises of the transitional negotiations, viewing them as having left unchecked the hegemony of patriarchy and racism, which perpetuates the inequality that still characterizes society. The unfortunate loss in this is the rewriting of a successful transition into democracy as an inherent failure to address socioeconomic inequality. While poverty and access to basic services have been significantly ameliorated by the development policies which have assisted the most desperate, these have failed to give the majority a real stake in the economy or speak to the need for redress which is framed as the need for a more equal society. It is here that the social contract serves to distil the different ways in which the state can be responsive to grievances of its base, viewing them not only as beneficial during times of elections, but as necessary for the continued functioning of

society. The social contract frame helps to highlight the transactional nature of post-conflict state rebuilding that must address the core conflict issues that continue to affect the citizenry through exclusive institutions after political settlements have been negotiated.

In South Africa, a large part of this process of creating a new, inclusive state has included the role of collective action to push the boundaries of the political settlement, ensuring that it speaks to the economic and social realities of ordinary South Africans. In contrast to the increasingly delegitimized structural and identity narratives (such as the blunt application of rainbowism), active citizenship, assisted by the integrity of the courts and the rights enshrined in the constitution has introduced a vibrancy to South Africa's social contract. Drawing on a long history of social action and a vision of a more equal and decolonized society, the confrontations between citizens and the state hold the prospect for a more resilient social contract. While some have argued that student protests represent an 'opportunity to prosecute a larger revolution against Mandela's rainbow nation and constitutional democracy' (Manjra, 2016), the study argues that the contestation of this hegemonic narrative is ultimately a venture that affirms an enduring vision of the South African social contract that seeks to include marginalized groups within this expanding and delivering the sense of service.

5.2. RECOMMENDATIONS

Based on the findings of the study this study recommends the following

5.2.1. Service delivery

The ruling party needs to ensure that the promises made in prior 1996 are met. The ruling party no longer holds the majority votes, and the faith in the ruling party can only be restored through service delivery.

5.2.2. Corrupt leaders

The recent initiatives adopted to boycott corrupt leaders should be supported at large, and enforced throughout the coming years. Once the leaders believed to be corrupt are boycotted and made to suffer consequences for their actions, people's faith in the ruling party will be restored.

REFERENCES

- Audemard, J., 2020. Objectifying contextual effects. The use of snowball sampling in political sociology. *Bulletin of Sociological Methodology/Bulletin de Méthodologie Sociologique*, 145(1), pp.30-60.
- Bassett, T.J., 2004. Containing the donzow: The politics of scale in Cote d'Ivoire. *Africa Today*, pp.31-49.
- Bhardwaj, P., 2019. Types of sampling in research. *Journal of Primary Care Specialties*, 5(3), pp.157-163.
- Bloomfield, J. and Fisher, M.J., 2019. Quantitative research design. *Journal of the Australasian Rehabilitation Nurses Association*, 22(2), pp.27-30.
- Braun, V. and Clarke, V., 2019. Reflecting on reflexive thematic analysis. *Qualitative research in sport, exercise and health*, 11(4), pp.589-597.
- Byrne, D., Goodhead, R., McMahon, M. and Parle, C., 2023. Measuring the Temporal Dimension of Text: An Application to Policymaker Speeches (No. 2/RT/23). Central Bank of Ireland.
- Dangal, M. and Joshi, R., 2020. Hermeneutic phenomenology: Essence in educational research. *Open Journal for Studies in Philosophy*, 4(1). Page range??
- Do, T., 2023. Jean Jacques Rousseau's concept of freedom and equality in the Social Contract. *Trans/Form/Ação*, 46, pp.305-324.
- Ellis, B., 2023. Social Contracts. In *On Civilizing Capitalism* (pp. 185-203). Cham: Springer Nature Switzerland.
- Gumede V. 2019. Social policy in post-apartheid South Africa. *Journal of Public Administration*, 54(4), pp.499-511.

Henkel, L., Sprengholz, P., Korn, L., Betsch, C. and Böhm, R., 2023. The association between vaccination status identification and societal polarization. *Nature Human Behaviour*, 7(2), pp.231-239.

Khunou, S.K., 2009. Traditional leadership and independent Bantustans of South Africa: some milestones of transformative constitutionalism beyond Apartheid. Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad, 12(4). Page range??

Kresch, E.P., Walker, M., Best, M.C., Gerard, F. and Naritomi, J., 2023. Sanitation and property tax compliance: Analyzing the social contract in Brazil. *Journal of Development Economics*, 160, p.102954. (page range or is this on one page?)

Kyngas, H., Kaariainen, M. and Elo, S., 2020. The trustworthiness of content analysis. The application of content analysis in nursing science research. City of publication: Publisher, pp.41-48.

Lephoto, M.B., 2023. Re-imagining an African ethical value-based social contract: in the context of using "Ubuntu" as an African framework. *Pharos Journal of Theology*, 104(4).

Levine, L., 2022. Digital trust and cooperation with an integrative digital social contract. In *Business and the Ethical Implications of Technology* (pp. 87-101). Cham: Springer Nature Switzerland.

Maditsi, M.E. and Bhuda, M.T., 2023. Political Intolerance in a Multi-Party Country: Is Indigenous Knowledge the Answer?. *African Journal of Development Studies* (formerly *AFFRIKA Journal of Politics, Economics and Society*), 2023(s12), pp.135-151.

Maphunye, K.J., 2023. Crime and democracy: The challenge of people's policing in post-apartheid South Africa: Nicholas Rush Smith, *Contradictions of Democracy: Vigilantism and Rights in Post-Apartheid South Africa*. Oxford University Press.

Müller, B.M., 2019. Under Priscilla's eyes: state violence against South Africa's queer community during and after apartheid. *Image & Text*, (33), pp.1-36.

Ndinga-Kanga, M., Van der Merwe, H. and Hartford, D., 2020. Forging a resilient social contract in South Africa: states and societies sustaining peace in the post-apartheid era. *Journal of Intervention and State-building*, 14(1), pp.22-41.

Perannagari, K.T. and Chakrabarti, S., 2020. Factors influencing acceptance of augmented reality in retail: insights from thematic analysis. *International Journal of Retail & Distribution Management*, 48(1), pp.18-34.

Robinson, J.A., 2023. Tax aversion and the social contract in Africa. *Journal of African Economies*, 32(Supplement_1), pp.i33-i56.

Saliya, C.A., 2023. Research Philosophy: Paradigms, World Views, Perspectives, and Theories. In (authour's names) (ed.) *Social Research Methodology and Publishing Results: A Guide to Non-Native English Speakers* (pp. 35-51). City of publication: IGI Global.

Sibun, D., 2022. Inclusive social security and the social contract: Overcoming instability and building trust in the MENA region. ISSPF Working Paper, 5. Internet address needed and access date.

Sileyew, K.J., 2019. Research design and methodology. *Cyberspace*, pp.1-12.

Siqueira, G., 2023. Integrative social contracts theory. In *Encyclopedia of Stakeholder Management* (pp. 165-170). Edward Elgar Publishing.

Stahl, N.A. and King, J.R., 2020. Expanding approaches for research: Understanding and using trustworthiness in qualitative research. *Journal of Developmental Education*, 44(1), pp.26-28.

South Africa. 1999. The Constitution of the Republic of South Africa. Retrieve from <https://www.justice.gov.za/legislation/constitution/saconstitution-web-eng.pdf> Date of access: 9 Aug 2022

Thomas, S.P., 2021. Resolving tensions in phenomenological research interviewing. *Journal of Advanced Nursing*, 77(1), pp.484-491.

Tomaszewski, L.E., Zarestky, J. and Gonzalez, E., 2020. Planning qualitative research: Design and decision making for new researchers. *International Journal of Qualitative Methods*, 19, p.1609406920967174.

Treagust, D.F. and Won, M., 2023. Paradigms in science education research. In *Handbook of research on science education* (pp. 3-27). Routledge.

Truth and reconciliation Commission. 2023. Welcome to the official Truth and Reconciliation Commission Website. Retrieved from <https://www.justice.gov.za/trc/> Date of access: 4 Aug 2022

Tshishonga, N., 2019. The legacy of apartheid on democracy and citizenship in post-apartheid South Africa: An inclusionary and exclusionary binary?. *African Journal of Development Studies*, 9(1), pp.167-191.

Walubengo, K.W., Abuya, J.O. and Kiongera, F.N., 2023. Information Technology and Service Delivery of County Governments in Western Kenya Region. *International Journal of Business, Economics, and Social Development*, 4(2), pp.85-93.