

IDS RESEARCH SUMMARY

Research findings at a glance from the
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Gaining Comprehensive AIDS Treatment in South Africa

Powerful social movements can overturn international commercial interests and change government policy. This Research Summary shows how the Treatment Action Campaign (TAC), a coalition of HIV-positive people established in South Africa in 1998, successfully pressed multinational companies and the South African authorities to improve access to life-saving anti-retroviral medicines (ARVs) for people living with AIDS. But despite these advances in treatment and the TAC's drive to prevent new HIV infections, the problems are still vast: only a small proportion of South Africa's 5.6 million HIV-positive people are receiving treatment and there are signs the government is still dragging its feet.

Improved access to life-saving medicines

In 2001, the TAC, with the support of international non-governmental organisations (NGOs), forced some of the world's most powerful pharmaceutical companies to abandon a court case aimed at stopping the South African government importing cheaper patented medicines. The public outcry around the case also pressurised the drug companies to lower the price of ARVs in poor countries, including South Africa.

Following this victory, the TAC turned its attention to tackling the South African government which unexpectedly refused to distribute ARVs through the public health system. After a bitter struggle, in 2003 the TAC won a government commitment to a comprehensive AIDS strategy which included the distribution of ARVs at public facilities. It then engaged in another long struggle to ensure that these promises were implemented. By 2005 between 60,000 and 100,000 people in South Africa were benefiting from the free supply of ARVs.

As well as helping secure life-saving treatment for thousands of people suffering from AIDS, TAC also helped to reduce the stigma and violent victimisation frequently faced by people living with AIDS and give people a voice to claim their rights, thereby deepening democracy and redistributing power.

The birth of democracy: A catalyst for action

The defeat of apartheid and the birth of democracy in 1994 largely removed the threat of violent repression of demonstrations and civil disobedience. Democracy also meant that the African National Congress (ANC), although dominant electorally, had to win and retain public opinion in the face of challenges from the media and civil society organisations. It also created new opportunities for issue-based social activism by civil society, including critical engagement with the government, and the use of the rights-based constitutional court. Despite these opportunities, the TAC's campaign for access to AIDS treatment was long and difficult because of opposition from

senior sections of the South African government including President Thabo Mbeki and the Health Minister, Manto Tshabalala-Msimang.

A broad coalition

The key actor driving change was the TAC, a membership organisation, whose campaign to improve access to AIDS treatment attracted a wide range of national and international supporters, including former South African President Nelson Mandela and Archbishop Emeritus Desmond Tutu. The TAC also provides medication to some of its members and 'treatment literacy' campaigns for self-help and social mobilisation.

Dynamics and strategy

The TAC drew much of its style and strategy from the anti-apartheid struggle, but also successfully adapted to the new post-apartheid context.

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Its tactics included an effective and successful mix of: lobbying; alliance building; use of the courts; and mass mobilisation including demonstrations and civil disobedience.

Despite its vigorous and astute campaigning TAC’s progress was curtailed by senior government figures actively undermining the fight against AIDS, or dragging their feet. They also made it clear to other government officials and politicians that public support for the TAC campaign would be viewed as disloyalty.

Nevertheless, many officials supported the TAC behind the scenes: it is estimated that at one stage up to half the national Cabinet supported the TAC. Moreover, once the comprehensive plan was agreed in 2003, ambiguities in government policy meant that some officials and politicians were able to pursue a more energetic response to AIDS.

Moral persuasion

The TAC sought to build moral support for the campaign by respecting its members’ norms and speaking to universal values. Morality was also an important international ‘frame’ for campaigners. The climb-down by multinational pharmaceutical companies was in part due to the campaign’s success in portraying the companies’ actions as an attempt to place profit before medical need. Moreover, the TAC’s protests at the sixteenth international AIDS conference in Toronto in August 2006 escalated the international moral condemnation of Mbeki’s stance. The TAC also used the language of ‘rights’ which resonated with previous anti-apartheid activists, and increasingly with minorities, such as whites, who saw it as a check on ANC power.

Strategic alliances

The TAC’s campaign was characterised by strategic optimism that a broad spectrum of society, including government, could be

recruited to its goals. As well as alliances with other civil society organisations, the TAC also sought support beyond social justice campaigners – among police officers, the media, among business leaders, and the Catholic Church (despite sharp differences over condom use). The TAC’s emphasis on winning the argument, as well as mass mobilisation, has also meant it has sought allies with professionals including lawyers and medical specialists. Despite Mbeki’s opposition, the TAC managed to find and cultivate allies within the government, who eventually became instrumental in changing policy. This reflected not just pragmatic need but also the TAC’s belief in constitutional democracy.

The TAC effectively cultivated alliances with civil society organisations in the North, whose ability to place pressure on multinational drug companies and the government became an important source of power. These relationships entailed some costs, however, including pressure from international allies against making strategic compromises which the TAC sometimes felt were necessary.

Insights

The research shows how the rights and rules of formal democracy can be used by social activists to drive change even when a government with a high level of legitimacy and moral authority opposes change. It also shows the importance of enrolling a broad range of natural and non-traditional allies at national and international level. Finally, TAC’s approach also suggests that campaign gains should be judged not only in terms of policy change, but also because of the way they can help citizens exert a degree of power over their lives.

Credits

This Research Summary was written by Ruth Mayne, Independent Consultant and is based on a study by Steven Friedman, Director, Centre for the Study of Democracy, Rhodes University, South Africa.

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