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IS THE TREATMENT ACTION CAMPAIGN EFFECTIVE? A LITERATURE REVIEW.

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Section I: Introduction

In their book *How Social Movements Matter* (1999), Tarrow, Giugni, McAdam, and Tilly, argue that it is of utmost importance to understand the effectiveness of social movements, since their core function is to bring about processes of social and political change. Analysts of social movements have begun to examine both the intended and unintended consequences of movement activity. However, the impact and effectiveness of social movements still constitute a relatively neglected area of academic inquiry. This literature review will reveal that such criticism is also applicable to the literature on the Treatment Action Campaign (TAC). Whilst this question is beyond the scope of this review, it is possible that the source of the weaknesses within the literature on TAC may stem from the controversies and deficiencies existing within the broader social movement literature.

This literature review poses the question "Is TAC effective?" It seeks to critically analyse whether the effectiveness of TAC is sufficiently dealt with in the literature. Friedman and Mottiar (2005), who have written the most comprehensive analysis of TAC, argue that it is the most successful of the social movements in South Africa, whilst Neocosmos (2007) compares it to other social movements and claims such a classification and conclusion is not fitting for TAC. The research to date has, therefore, not sufficiently addressed whether TAC is an effective social movement, because such a framework presupposes a conceptual consensus which has yet to be attained on the matter. Friedman and Mottiar (2005) discuss a wide range of themes including conceptualisation, strategy, tactics, and organisational structure when analysing its effectiveness. For the purposes of this review, a strategy will be defined as the principles guiding tactical decisions, while a tactic is defined as an action designed to fulfil particular strategic objectives. These analytical distinctions will be used as a basis for the structure of this literature review. However, most of the other authors fail to distinguish these features, analyse them in depth or gauge their relative importance. Another criticism of the literature is that it does not distinguish between a notion of

'effectiveness' and 'success'. This review will define 'success' as the specific victories obtained by TAC, whilst 'effectiveness' will be considered to be a more overarching concept of efficacy. This includes high quality performance of the leadership and grassroots level members within the organisation itself, as well as its impact throughout the political and social arena.

Parameters and Problems

Two types of literature are relevant to the study of TAC; the broader social movement literature as well as the local literature on TAC. The literature on TAC only appears from 2000 onwards, and the analysis of TAC post-2003 is scarce, and the literature on TAC has yet to be reviewed by any scholar in the field. Whilst the field of social movements has been growing since the 1960s, it will only be drawn upon when specifically referred to by the authors writing about TAC. Therefore, an exhaustive analysis of the theoretical and empirical works of the social movement literature has not been conducted, but rather a selection of the aspects that researchers have tended to emphasise in their attempt to assess the effectiveness of TAC.

The amount of academic literature on TAC is more limited than the broader literature on social movements. This literature review will draw mainly on academic texts such as journal articles, books, as well as the official TAC website, newspaper articles, speeches and debates where necessary. The study of TAC spans across many disciplines, such as sociology (Neocosmos, Robins), politics (Friedman, Mottiar, Zuern, Von Lieres), development studies (Bond, Habib, Valodia), public health (Boulle), history (Mbali, Devendish, Iliffe), law and legal studies (Heywood, Berger, Budlender), human geography (Jones, Stokke), social anthropology (Robins), and education (Vally). This is not a distinctive feature of the literature since scholars from different fields work and write together, such as Ballard, Habib, Zuern, Valodia and Zuern who are all members of the Centre for Civil Society in the University of Kwazulu Natal, and who have appointed Zackie Achmat, the current chair of TAC, to sit on their advisory board. Some of the authors in the field, such as Achmat, McKinley and Desai, are activists themselves, and have participated in the processes discussed. It is important to note that Heywood and Achmat are both founding and leading members of TAC which may mean that they present their own biases, and do not necessarily present an impartial view of the theoretical and analytical

implications of TAC. Whilst authors such as Neocosmos (2007), Bond (2004, 2006), Vally (2003) are more critical of TAC, there has not been much controversy in the literature on TAC.

The selection and grouping of authors in this field was one of the challenges faced when writing this literature review. Generally, the authors can be categorised as belonging to the 'left perspective', however, the different groupings within such a perspective are more difficult to distinguish. The clearest grouping is that of the 'ultra-left'[1], which includes authors such as Bond (2004, 2006), Neocosmos (2007) and Vally (2003), who present arguments which have a marxist-orientation. Other authors shift between social democratic and 'left-liberal' stances. Often, such groupings are attached to authors, without clear justification or conceptualisation of the terms used. This presents a challenge to both the writing and reading of such a review. This literature review will attempt to highlight the varying perspectives, and compare and contrast them throughout.

Methodology

This literature review will examine a brief history of TAC, as presented by leading members of TAC, as well as authors from varying groupings. The conceptualisation of TAC will be analysed within Section II. Section III will present the literature dealing with the overarching strategies utilised by TAC. Following this, Section IV will explore the analysis of specific tactics used by TAC. Finally, Section V will draw conclusions and discuss recommendations for future research.

This review aims to highlight key themes, areas of debate and consensus, gaps, and the strengths and weaknesses of the literature dealing with the effectiveness of TAC. Ultimately, it argues that, even though the literature covers many of TAC's specific successes, it has not critically analysed its effectiveness, and fails to provide a convincing and conclusive answer to the

[1] Neocosmos (2007), Gibson (2006), Ballard (2005), Heywood (2005) refer to the term "ultra-leftist", and reveal that such a term is increasingly being used in a derogatory manner. Friedman and Mottiar (2005) prefer to name such a grouping as "left intellectuals". This paper will use the term "ultra-left" only when it appears as a distinct label within the literature, and will reveal that the term has not been clearly defined, nor is there a consistent usage of it throughout the literature.

research question posed at the start of the review. It will propose that future research into such a question is vital in the study of TAC.

A Brief History of TAC

The Treatment Action Campaign was established on the 10th December 1998, International Human Rights Day, when a group of fifteen people protested on the steps of St George's Cathedral in Cape Town. The Health Minister Nkosazana Zuma had recently withdrawn government support for pilot projects aimed at reducing the mother-to-child-transmission (MTCT) of HIV. The protesters demanded medical treatment for those living with HIV, especially HIV-positive pregnant women. By the end of the day, TAC had collected over a thousand signatures calling on the government to develop a comprehensive national treatment plan for HIV-infected citizens (www.tag.org.za, 2001).

TAC's main objective has been to lobby and pressurise government to ensure access to affordable and quality treatment for people with HIV/AIDS. It aims to prevent and eliminate new HIV infections; and to challenge any barrier or obstacle that limits access to treatment for HIV/AIDS in the private and public sector by means of litigation, lobbying, advocacy and all forms of legitimate social mobilisation. It also opposes discrimination against HIV-positive people in all sectors of society, and continues to challenge AIDS 'dissident science' (www.tag.org.za, 2007). TAC is, in many ways a conventional membership organisation, but also maintains some unconventional aspects of its internal structure. There is a distinction between members, supporters, volunteers and activists. The prime decision-making structure is its National Executive Committee (NEC), composed of elected officials, as well as representation from the social sectors including youth, religious organisations, health care professionals and labour (it is important to note that COSATU is automatically represented on the NEC). It has active branches in many provinces, which are represented in its Provincial Executive Committee[2] (Friedman & Mottiar, 2005: 516). Since its inception, the international face of the organisation has been Zackie Achmat, a former anti-apartheid and gay activist, who is openly HIV-positive (Robins, 2004: 663).

[2] Whilst it has not been recognized in the literature, it is interesting to note that the internal structure of TAC replicates a similar structure to that of the ANC.

Between 1999 and 2001, TAC, together with the South African government, became embroiled in a lengthy legal battle with the Pharmaceutical Manufacturers Association (PMA) over the latter's challenge to legislation that would allow the importation of cheaper generic medication, including anti-retrovirals. The PMA withdrew from the case, mainly because TAC, acting as an amicus *curiae*[3], ensured that the court and the public acquired details of the companies' pricing procedures (Iliffe, 2006: 146). TAC's intervention is said to have guaranteed the positive outcome of the court case, and turned attention from the broader issue of drug prices to a focus on the cost of patented antiretrovirals (ARVs) (Cameron, 2005: 165).

The death of HIV-positive TAC volunteer Christopher Moraka was a defining moment in TAC's pro-poor political mobilisation around AIDS. In 2000, it began its 'Christopher Moraka Defiance Campaign', centring on TAC's argument that his pain could have been eased and his life prolonged if he had been able to access the drug Fluconazole[4] at a reasonable price. In response to this, Achmat visited Thailand where he bought 5 000 capsules of a cheap generic fluconazole to illegally import to South Africa. He returned to South Africa with 3 000 tablets and passed through customs without being caught (Cameron, 2005: 164). When such a mission was announced in a press conference, the public outcry against the pharmaceutical giant Pfizer intensified as it became clear the extent to which they had inflated prices of name-brand medications. No charges were brought up against Achmat, and the drugs were successfully prescribed to South African patients. In March 2001, Pfizer made its drugs freely available to state clinics. However, TAC's struggle over ARV treatment continued when Mbeki and his Health and Trade Ministers failed to substantively change policy or to override patents for generic production or inexpensive imports (Robins, 2004: 664).

TAC filed a legal case in August 2001, arguing that the state had a constitutional obligation to promote access to health care, which included AIDS drug treatment. It demanded that the government institute a national mother-to-child transmission prevention (MTCTP) programme. This forced

[3] Friend of the court.

[4] Fluconazole is not an ARV, but an important drug in the treatment of certain fungal infections associated with HIV, including oesophageal and systemic thrush. At the time of the PMA case, fluconazole was still under patent and not widely available in South Africa because of the high prices charged by the manufacturer Pfizer. However, generic manufacturers in Thailand sold an equivalent drug at a fraction of the price (www.tac.org.za, 2001).

the court to address the ongoing contestation over the scientific 'truth' of AIDS and supposed toxicity of ARVs that raged between TAC, trade unions and health professionals on one side, and the government and ANC on the other. Illiffe describes the campaign of TAC to force the government to provide MTCTP as the first major political action by HIV-positive people in Africa (Iliffe, 2006: 143). The judgment, which was handed down on the 14th December, ruled in favour of TAC. It instructed the government to prescribe Nevirapine[5] where medically indicated and where capacity existed, and to return to the court before the end of March 2002 with a national roll-out plan. The government appealed the court's verdict and execution order, thus beginning its legal campaign to delay a roll-out plan. Despite such a campaign, many provinces (including ANC-controlled provinces such as Gauteng, Eastern Cape and Limpopo) acted in defiance of the national government's stance, and rolled out MTCTP programmes (Heywood, 2003: 301-304).

In October 2002, TAC met with Deputy President Jacob Zuma, who informed TAC that a treatment plan would be created by February 2003. TAC, together with its ally COSATU, tabled a set of resolutions concerning an HIV/AIDS national treatment plan to the National Economic Development and Labour Council (NEDLAC)[6]. When a NEDLAC plan was finally drafted at the end of 2002, the Health Minister refused to endorse it. The failure of NEDLAC to commit the government to such a programme was a key motivation for TAC to turn to civil disobedience as a last resort (Nattrass, 2007: 108). COSATU refused to participate in such a campaign, since many members may have seen it as an attempt to overthrow government. TAC renamed it a 'mass protest', in an attempt to accommodate its ally in the process (Friedman and Mottiar, 2005: 535). On the 14th February 2003, during Mbeki's 'State of the Nation' address, between 10 000 and 15 000 people marched on parliament to ask the government to sign the NEDLAC agreement. In March 2003, TAC launched its civil disobedience campaign which included demonstrations; invasions of police stations and government buildings; disruptions of speeches by government officials as

[5] At the time of the judgment, single-dose Nevirapine was considered the most appropriate MTCTP regimen, because of its proven efficacy, simplicity and low cost. However, the judgment allowed the substitution of other regimens for Nevirapine where appropriate.

[6] NEDLAC is a formal social dialogue institution that brings together government, business organizations, trade unions and community organizations to reach consensus on issues of social and economic policy.

well as the South African AIDS Conference; heckling the Health Minister; and laying charges against the Ministers of Health and Trade and Industry (for failing to prevent the estimated 600 AIDS deaths taking place each day). It temporarily halted the campaign after Deputy President Zuma made an urgent appeal to TAC, but lifted the suspension when no action was forthcoming. In August 2003, cabinet committed itself to rolling out ARVs in the health sector. TAC's defiance campaign had achieved its objective (Nattrass, 2007: 116).

When it became clear that the Health Minister had failed to address the crisis in the public health sector, and was not prioritising an implementation of the treatment plan, TAC again pursued legal action in the form of an access-to-information case (October 2004). In February 2005, TAC organised a march on parliament, which was attended by 5000 people. The delays in the roll-out of ARVs have more recently been attributed to the government's AIDS denialist stance [7] (Nattrass, 2007: 130).

Since 1998, TAC and its chair, Zackie Achmat, have received a variety of international awards and was nominated for the Nobel Peace Prize in 2003. It has a small number of members relative to the millions of people living with the deadly virus, but it has demonstrated an ability to mobilise people well in excess of its membership.

Section II: Conceptualisation

Robins and Von Lieres (2004), Gibson (2006), Ballard *et al*. (2005), and Friedman and Mottiar (2005) argue that TAC can be broadly categorised as a social movement, and often refer to such a term in their literature on TAC. However, these writers' engagement with the general social movement literature is superficial. Each author draws upon different social movement theorists, including Tilly (1978); Goodwin & Jasper (2005); and Castells (1997, cited in Friedman and Mottiar, 2005), without providing sufficient justification for such choices. Together with Gibson (2006), Mbali (2006), Achmat (2004), Friedman and Mottiar (2005), and Boulle and Avafia (2005), these authors then shift their focus to conceptualising TAC as a 'new

[7] Nattrass argues that this consists of the denial of the existence of HIV/AIDS; the denial of the efficacy of ARVs; and the subsequent denial of treatment to AIDS sufferers (Nattrass, 2007).

social movement', defined in the context of post-apartheid South Africa. They do this without clearly linking the broad social movement literature to such a local conceptualisation. The 'ultra-leftists', including Bond (2006), and Ballard *et al.* (2005) do not restrict themselves to the discussion of social movements, but rather term TAC as an issue-based, interest organisation, which forms the basis of their critique on the effectiveness of TAC.

The question of effectiveness is clearly linked to the conceptualisation of TAC. A definitive conceptualisation ensures that there are set criteria through which to analyse TAC's effectiveness. Therefore, this literature review will argue that disagreement over the conceptualisation of TAC proves to be a weakness when discussing effectiveness in the literature on TAC.

Is TAC a Social Movement?

Ballard, Habib, Valodia and Zuern draw on Tilly's definition of a social movement. Tilly suggests that, "the proper analogy of a social movement is neither a party nor a union but a political campaign. What we call a social movement actually consists in a series of demands or challenges to power holders in the name of a social category that lacks an established position" (Tilly, 1985; cited in Ballard *et al*., 2005). The authors do not provide justification for choosing Tilly's definition over that of other scholars. This is especially perturbing since, as of yet, there has been no consensus in the literature surrounding the definition of a social movement (Della Porta & Diani, 1999). They then amend his conceptualisation to define social movements as "politically and/or socially directed collectives, often involving multiple organisations and networks, focused on changing one or more elements of the social, political and economic system in which they are located" (Ballard *et al*., 2005: 617). However, such definition seems to be arbitrary since the authors do not fully explain their conceptual motivation, and seldom draw upon it when discussing and assessing South African movements. Moreover, were TAC to be defined using such a definition, it may be considered to be a social movement. Surprisingly, this somewhat contradicts Ballard and Habib's conceptualisation of TAC, which will be expressed later in this section.

Gibson chooses to refer to Goodwin and Jasper's definition of a social movement as "a catchall phrase that can be applied to any collective, organised, sustained challenge to authorities, power holders, or cultural beliefs or practices" (Goodwin and Jasper, 2005: 3). Similar to Ballard *et al*., Gibson does not acknowledge the controversy in the conceptualisation of social movements which exists within the broader literature (Gibson, 2006: 16). It will later be shown that Gibson does not restrict his analysis of TAC to the confines of such a definition.

Friedman and Mottiar refer to Castells's "celebrated" (Friedman & Mottiar, 2005: 553) definition, which reveals social movements to be "purposive collective actions whose outcome in victory, as in defeat, transforms the values and institutions of society" (Castells, 1997; cited in Friedman & Mottiar, 2005), and refer briefly to the above-mentioned definition of Ballard *et al*. Again, they provide no reason for selecting such a definition, and do not clearly link it to TAC or to the debate surrounding local social movements.

It is evident that a limited number of authors discussing TAC refer to the existing broader definitions of social movements, and when they do, they select specific conceptions with no justification for such a seemingly random choice. They do not recognise the existing conceptual controversies within the broader field of literature. Often, the authors easily discard such literature as irrelevant for the discussion of South African movements without outlining their reasons. This has a dividing rather than synthesising effect on the literature. The authors commenting on TAC accept it as a social movement or refer to it as a 'new social movement', which, in itself, is a debated concept. Others define it as an issue-based interest organisation. Such a sentiment was echoed in July 2004, when the Minister of Health declared TAC as a single-interest group (Heywood, 2004: 118). However, such a classification is criticised throughout much of the literature; a disagreement which creates conceptual confusion within the literature.

Is TAC a Single-Issue Campaign or a New Social Movement?

Much of the literature on TAC discusses the term 'new social movement', which is in agreement that South Africa's democratic transition, like so many

in the 'third wave' of democracies (Huntington, 1991), has been characterised by two distinct processes: political democratisation and economic liberalisation (Habib, 2005: 680). It is these two features which form the distinguishing characteristics of a 'new social movement'. Friedman and Mottiar explain that democratisation removed the threat of repression from collective action and created new opportunities, and limits, for influence which did not previously exist. The creation of the government's macro-economic policy GEAR ensured deteriorating social conditions and created a new rationale for collective action (Friedman & Mottiar, 2005: 532). Ballard argues that Bond belongs to the 'counter-hegemonic' or 'ultra-left' perspective (Ballard, 2005: 79). Bond argues that the context for the rise of 'new social movements' in the 1990s is the rapid shift of ideology from state-driven developmentalism to the neo-liberal Growth Employment and Redistribution (GEAR) policy (Bond, 2006: 115). Most authors also agree that, although the TAC pressurises government, it has never been openly critical of the macro-economic framework (Gibson, 2006; Bond, 2004; McKinley & Naidoo, 2004). However, they disagree as to whether this has contributed to, or diminished TAC's effectiveness.

Bond argues that new social movements in South Africa are unconnected to the organisational forms of the past decade, and reveal the need to fight for social justice and a delegitimisation of neo-liberal economic principles (Bond, 2004: 836). In his view, a major failure of TAC is its inability to situate its campaign in the critique of GEAR. He labels TAC as a 'left civil society force' existing as a sector specific group, rather than a social movement (Bond, 2004: 823, 833).

Mbali is highly critical of the perspective of the 'ultra-left'. She comments that the focus on GEAR as the main reason for the emergence of 'new social movements' is a 'vulgar Marxist' extreme. This is a materialist tendency that strips activists and ordinary poor people of agency and underestimates the role of culture and history in shaping their identities and political allegiances. In Mbali's opinion, the literature on 'new social movements' has lacked a well-developed understanding of how new movements actually built on anti-apartheid "traditions of organising and militancy"…New social movements cannot be understood as arising simply from material conditions" (Mbali, 2006: 131). She argues that the origins of the first-person, patient-driven AIDS activism fuelling TAC's campaign focused on socio-economic rights is a significant, under-documented and unique phenomenon in the history of South Africa's epidemic (Mbali, 2006: 142).

She criticises the literature for its failure to contextualise the political history of AIDS and how it has shaped TAC's politics (Mbali, 2006: 130). Jones and Robins also show that TAC deploys imagery from the anti-apartheid struggle in contemporary struggles. They outline the political style of TAC as a sophisticated refashioning of 1980s modes of political activism, which has expressed itself through songs at marches, demonstrations and funerals (Robins, 2004: 666; Jones, 2005: 434). This is similar to the argument presented by Mbali (2006), but the mere description of symbols used by TAC, is insufficient to provide credible justification for such an argument.

It is interesting to note that there is a large amount of literature dealing with similar cultural approaches to social movements. Authors such as Snow, Benford, and Klandermans explain that by bridging, amplifying, extending, or transforming activities, and events, movement leaders attempt to ensure that the interests of the organisation align with their potential constituency (Snow, Rochford, Worden & Benford, 1986). The argument presented by Mbali (2006), Robins (2004) and Jones (2005), may be credible, but could be strengthened by further analysis and an exploration of the linkages to such broader social movement literature.

Gibson argues that movements are new in the sense that they have emerged in response to the post-apartheid ANC government. He argues that TAC's lineage can be traced to those "militant township 'civics'" that were highly active against the late apartheid regime (Gibson, 2006: 4). TAC is unambiguously a social movement because its roots are older and steeped in anti-apartheid movements, including the Marxist Workers' Tendency and gay activism [8] (Gibson, 2006: 25). Therefore, he purports that, even though they are divided in theory, the difference between the 'new' and 'old' social movements blur in practice and it has become difficult to distinguish them from each other (Gibson, 2006: 18). McKinkley and Naidoo concur with Gibson in that the movements which have emerged post-1994 exhibit 'new' approaches to socio-economic issues and political struggles, however, they are also 'old' in many respects (McKinley & Naidoo, 2004: 10).

Ballard *et al*. also argue that there is only limited institutional connectivity between the movements of the 1980s and those of 1990s. The key explanation for the newness is that old avenues of opposition were absorbed into the post-apartheid government, leaving the opponents to the government

[8] Gibson links this directly to the argument proposed by Mbali (2006).

without a means to express or a mechanism to organise opposition. This marks a change in the political opportunity structure (Ballard *et al*., 2005: 622). It is interesting to note that, once again, the authors skim over a concept (namely that of 'political opportunity') which has been discussed and debated in depth in the broader literature (McAdam, McCarthy & Zald, 1988; Tarrow, 1994), without exploring it in detail. Nevertheless, Ballard *et al*. admit that their methodology for reaching such a conclusion is flawed since it would be difficult to establish direct causality between the shift in state policy and the emergence of such social movements (Ballard *et al*., 2006: 415). This exposes a key criticism which is evident in much of the literature on new social movements in South Africa.

The authors contrast the social struggles against the government's policies of trade liberalisation and economic growth with that of TAC, which focuses merely on the government's failure in service delivery in the HIV/AIDS sector (Ballard *et al*. 2005: 616). In line with such a view, Habib defines TAC as a 'nationally-based organisation' focused on changing the state's AIDS policy and enabling the provision of antiretroviral drugs to AIDS sufferers. He argues that TAC does not meet the criteria of a social movement (Habib, 2005: 683), but does not clearly specify parameters for such a concept. Ballard also identifies TAC as an issue-based movement (Ballard, 2005: 85). However, he presents a slightly altered viewpoint by maintaining that single-issue causes become vehicles for achieving broader ideological objectives (Ballard, 2005: 90). Local struggles focused on particular issues can still contribute to broader, progressive struggles (Ballard, 2005: 93). He does not, however, analyse whether TAC succeeds in realising such a broad objective.

Robins & Von Lieres argue that TAC is an example of a new social movement that has expanded the legitimacy of civil society-led participation (Robins & Von Lieres, 2004: 583). It is a social movement aimed at raising political consciousness; a political reform movement and an illness-based special interest group operating within the legal and political system on behalf of the broader population (Robins & Von Lieres, 2004: 581). Such a conceptualisation does not distinguish between an interest group and social movement. It conflates the issues and provides no real clarity on the matter.

Achmat asserts that TAC is not a single-issue campaign. TAC aims to promote a social democratic vision, and the campaign for treatment is, in itself, addressing some socio-economic inequalities within the polity.

Friedman and Mottiar argue that it would be misleading to classify TAC as an interest-based organisation or one confronting socio-economic change because it is clearly both (Friedman & Mottiar, 2005: 523). In fact, the authors illustrate that TAC has extended beyond the health sector and has begun to identify a wider agenda for change. For example, it joined a trade union campaign to oppose foreign importation of textiles, and organised the first march for a Basic Income Grant (BIG) together with the BIG Coalition (Friedman & Mottiar, 2005: 525). Even if this is not the case, the focus on immediate, issue-based goals may accurately meet the needs of its constituents, who view TAC as an instrument to win treatment and not of broader social change. It is through single-issue campaigns that the poor and marginalised acquire the organisation and sense that they can make a difference (Friedman, 2007: 524). This argument may hold true, but it is weakened by methodological deficiencies. The authors rely on interviews with a limited number of TAC members, which weakens their argument.

Friedman and Mottiar (2005) argue that it is still unclear as to whether TAC is capable of effectively addressing larger social and political concerns. The demands on its resources and time mean that such engagement with wider concerns is "sporadic and secondary" on its agenda. (Friedman & Mottiar, 2005: 525). Recently, Friedman has extended his argument further, by arguing that if a TAC campaign was to be launched more broadly against social inequality, it seems unlikely that it would enjoy the same advantages as a focused AIDS campaign. The political context required for action that is not based on single-issue reforms, is not yet present (Friedman, 2007: 44).

Boulle and Avafia argue that, since 2004, TAC can no longer be described solely as an advocacy organisation, but as a service delivery organisation as well (Boulle & Avafia, 2005: 24). Neocosmos asserts that TAC combines features of both a social movement as well as an NGO, as it provides important services to its members. He also argues that is difficult to categorise TAC as a single-issue, reformist movement when its focus is so expansive. (Neocosmos, 2007). It is unclear whether the 'service' aspect of TAC excludes it from being a social movement, or whether it adds to its effectiveness Jones illustrates that the division commonly made to separate issue-led social actors from those defined by the agenda of structural change is artificial and misleading. Along with Friedman and Mottiar, he argues that the TAC experience challenges what it is to be a social movement. TAC illustrate that something new is needed to deliver gains for the poor (Jones, 2005: 444; Friedman & Mottiar, 2005: 39).

Conclusion

It is clear that the authors who write about 'new social movements' seem to agree that there were two major characteristics of post-apartheid South Africa which impacted on collective action. However, none of these authors present a conceptually or methodologically convincing argument to prove causality between these events and the emergence of such movements. There is a general consensus that TAC has not directed its attention to a critique of the government's macro-economic policy. The 'ultra-left' explains that this undermines its effectiveness, and does not categorise it as a new social movement, whilst others question such an argument. There is also disagreement about the categorisation of 'new social movements', and whether one can conceptually distinguish between 'new' and 'old' movements. Following this, there is much debate over the conceptualisation of TAC as a 'new', 'old' or 'hybrid' social movement. Some do not even consider it as a social movement at all, while others overlook the debate and classify it arbitrarily. The diverse perspectives presented reveal that the division between issue-based gains and broader social change is complex. It is far more complicated than a simple division between movements fighting for social change and single issue organisations.

This has an impact on the research question, and reveals that more is at stake than a mere definition. If there is no consensus on the definition of TAC, it becomes difficult to set criteria by which its effectiveness can be analysed. It is apparent that there is a need to achieve consensus on the conceptualisation of TAC so that the literature can progress in its assessment of its effectiveness. For the purposes of this paper, TAC will forthwith be referred to as a ‘movement’. This does not, however, reflect a denial of the contentious nature of its conceptualisation. The literature review will now shift its focus from the conceptualisation of TAC to an analysis of the means through which it pursues change.

Section III: Strategy

In their book *Social Movements: An Introduction*, Della Porta & Diana (1999) argue that the analysis of strategies used by social movements (or, in fact, any group desiring change), is central to understanding their success. An analysis of the strategies utilised, as well as the effects they produce, is

an integral part of the study of agents of social change. Key social movement theorists such as Gamson (1990), Tarrow (1994), and Della Porta (2001) question whether movements that propose radical change are more successful than those who propose moderate change; whether a centralised bureaucratic organisation is a help or a hindrance for social movements; and whether the strategies of mobilisation improve or impede change (cited in Della Porta & Diana, 1999: 229). Such debates have manifested themselves in the literature on TAC. The 'ultra-leftists' such as Neocosmos (2007), Bond (2006) and Vally (2003) argue that change can only occur when civil society pursues revolutionary action outside the confines of the state domain. Such a perspective is criticised by Ballard (2005), McKinley and Naidoo (2004) and Friedman and Mottiar (2005), who argue that this extremist stance is both unrealistic and theoretically flawed. Moreover, the section will analyse TAC's mobilisation strategies to assess whether they enhance or detract from TAC's effectiveness. This section will analyse the interpretations of TAC's strategies as presented in the literature, and will review the arguments linking such strategies to the effectiveness of the movement.

TAC and Government: Revolution or Reform?

Neocosmos argues that revolutionary action entails the ability of ordinary people in communities to assert themselves independently on the political stage and to constitute politics independent of the state. He is concerned with the fact that South African civil society is a domain of state politics, rather than a site of alternative politics (Neocosmos, 2007: 54), and draws on Marx and Badiou to endorse his leftist perspective that TAC is not considered a 'revolutionary' social movement. Neocosmos argues that TAC is exclusively concerned with the provision of treatment. Its operation within the domain of state politics, as opposed to the creation of an alternative site of politics, has disabled, rather than enabled an active citizenship of the poor. While TAC has been able to enhance the conditions for the access to treatment for many, it has succeeded in doing so at the expense of reinforcing a culture of political passivity. In the future, TAC should strive to assert that the poor are of importance both within the organisation and the state itself. Moreover, it should be capable of "theorising on their own the basis of an emancipatory politics independent of the state and its bureaucratic managerialism" (Neocosmos, 2007: 54).

Bond argues that TAC is a collaborationist and reformist organisation. It does not fit into the 'socialist movements', which fight against capitalism, neo-liberalism and globalisation. Similar to Neocosmos, he views collaboration with the state as pointless, since it represents bourgeois interests. Progressive politics by movements is impossible in the absence of a long-term objective to overthrow the capitalist system (Bond, 2004: 29). Therefore, a test for an authentic movement is whether it holds a vision for a socialist alternative, or at least opposes the state's neo-liberal growth path. TAC is deemed to be partially unsuccessful because it does not embrace such Marxist ideals (Bond, 2004: 10).

Vally also holds such a 'revolutionary' view. He argues that "The trouble does not lie in the wishes and intentions of the power holders, but in the fact that the reformers are prisoners of an economic and social framework which necessarily turns their proclamations, however sincerely meant, into verbiage. The post-apartheid state is primarily the guardian and protector of these dominant economic interests and the guarantor of capitalist property relations…liberals view the state as an agent of the democratic social order with no inherent bias toward any class or group. They fail to understand the elementary truism that the state in a capitalist society is not neutral in relation to different classes. This misconception is the fount from which all sort of reformist illusions arise" (Vally, 2003: 65). He argues that TAC has submitted to such a capitalist order, and needs to transform its strategy if it is to be completely successful. Such a perspective is weakened by the criticisms put forth by others.

Desai argues that it is unlikely that open confrontation with the "repressive power of the post-apartheid state can be avoided" (Desai, 2002: 147). However, he supports a less radical view and sees the movements, not as attempts to overthrow the existing order, but to create an alternative within it. It is clear that Desai does not side with the 'ultra-left', since he deems their assertions to be "ideological archaism" (Desai, 2002: 149). Jones agrees that TAC's tactic of 'infiltrating' the internal spaces of the state and its willingness to engage with institutions and respect rules sets TAC apart from the more 'radical' social movements (Jones, 2005: 444). Contrary to the other authors, he states this merely as a fact and does not hold it against TAC.

Heywood, a founding and leading member of TAC, suggested in a conference (October 2004) that "revolutionary social movements as defined by the left were a figment of their imagination" (cited in Ballard, 2005: 91).

He claims that a "critical strategic consideration is to deliberately situate TAC in 'mainstream' politics forcing people and organisations into a moral and political dilemma which could be easily avoided when the 'social movement' in question conducts itself in a fashion that allows it to be cast as the ultra-left" (Heywood, 2005: 208). Simply denouncing the obvious evils of capitalism, neo-liberalism and corrupt government without a plan or capacity to provide a viable alternative will only be to the detriment of the poor (Heywood, 2005: 208). For Achmat (2004), when lives are at stake, immediate results through social mobilisation using the law are more effective and practical than waiting for a 'nebulous' anti-capitalist revolution to occur (cited in Devendish & Mbali, 2004). TAC is concerned "with the politics of health, not politics *per se*". Achmat reaffirms this with his statement "we want to get medicine to people – we don't want to cause a revolution" (Achmat, 2004; cited in Friedman & Mottiar, 2005: 523). Achmat and Heywood are most likely biased in their conception of the movement. Nonetheless, there is endorsement of such arguments in the literature.

Ballard argues that the debate around participation and reformism versus opposition and rupture is postulating a hypothetical ideal rather than the reality of the current social movements. He argues that TAC's mobilisation of the poor has unsettled the elite's presumption that it can proceed in any manner it feels best. This is, in and of itself, "both radical and counter-hegemonic" (Ballard, 2005: 95). Movements such as TAC have contributed to a political climate that encourages state elites to become more responsive to the country's most marginalised citizens. However, the systemic pressure and effective functioning of contemporary social movements is a necessary but not sufficient condition for shifting state policy in the interests of South Africa's poor and marginalised (Ballard *et al.*, 2006: 415). The authors do not divulge the factors necessary to achieve such a goal.

The 'ultra-leftist' perspective has also been criticised by McKinley and Naidoo. They argue that such a viewpoint ignores that new social movements, such as TAC, represent real problems and genuine struggles confronted on a daily basis (McKinley & Naidoo, 2004: 13). Even among leftist intellectuals, there may be a general agreement on problematising the institutional nature and class character of the state, but there is no dominant conception or understanding of state-civil society relations. They present different arguments as to whether movements should create power outside of

the state, or simply change the terrain of the state accountability and policy formulation (McKinley & Naidoo, 2004: 15).

Friedman and Mottiar defend TAC against the 'ultra-left' criticisms by stating that such scholars may be misled in believing that participants in social movements share their 'revolutionary' impulse (Friedman & Mottiar, 2005: 524). A definition which categorises movements according to how radical their goals are is arbitrary. They suggest that TAC's engagement with the state sets it apart from other social movements. TAC is unusual amongst social movements in that it recognises that it would be damaging to lose the support of some of its members by threatening democratically elected leaders (Friedman & Mottiar, 2005: 534). The movement has revealed that conventional methods of civil society engagement with the state can yield major success. TAC's experience has much to teach about how movements can win battles for reform. However, it cannot yet point to strategies for more fundamental change because these are yet to be fully tested (Friedman & Mottiar, 2005: 552).

There is a consensus in the literature that TAC is not a revolutionary movement (as defined by those on the extreme left). The question which remains is whether TAC should strive to revolutionary, and whether its reformist strategies have impeded its effectiveness. The 'ultra-leftists' view TAC's collaboration with the state as a weakness. Perhaps such a view is correct in that TAC could gain even greater change with more radical measures, but such an assumption has yet to be tested. One cannot present a normative argument without providing sufficient empirical evidence. Authors such as Ballard (2005), Friedman and Mottiar (2005) present critiques of the Marxist ideal, and have a firmer grasp on the reality of the situation. They propose that it is unrealistic to present an absolutist polarising rhetoric of 'us' and 'them'. Either way, the movement would be considered to be unsuccessful if it did not mobilise the masses in order to achieve its aims. The question which remains is whether TAC's mobilisation strategies have contributed to, or detracted from its effectiveness.

Mobilisation

Identity versus Interest: A class-based struggle?

Robins argues that TAC has mobilised within working-class black communities and the trade union movement, rather than responding to HIV/AIDS from a cultural nationalist perspective. TAC's class-based politics concentrates on access to ARV treatment for both the working class and poor citizens, which offers an alternative to the elite-driven politics of race and cultural identity (Robins, 2004: 666). For Robins, such a strategy lies at the root of its success. This argument is subjected to much criticism in the literature.

Neocosmos criticises Robins' definition of class-based politics. Robins seems to suggest that 'ethnic' or 'communitarian' politics did not also mobilise within working class black communities and the trade union movement, which points to a bizarre understanding of the concept. The argument that TAC's success is based this unique type of politics, is “quite simply a spurious argument harking back to the crude 'workerist' vs. 'populist' slogans of the 1980s” (Neocosmos, 2007: 49). He claims that the fundamental reason for its success is arguably that it never fully challenged the elite interests or conceptions of politics, and exerted pressure on the ANC by mobilising its own constituency against the government (Neocosmos, 2007: 49).

Friedman and Mottiar argue that the main reason for participation in the movement remains interest rather than identity. The closest identity-based rationale for TAC is that it is more likely to attract those who broadly identify with a left-wing perspective (at least in the sense that they believe in the desirability of social action to secure state provision of material necessities). However, it is mainly the interest in treatment, or the empathy with those who need it, that forms the basis for mobilisation, as opposed to religious, social, or political identities (Friedman & Mottiar, 2005: 524).

Even though distributional issues are paramount in South Africa, Ballard also argues that it does not follow that the result is a union-led "class struggle" of the kind that many believed characterised the anti-apartheid movement (Ballard, 2005: 84). In contemporary society, there is an

increasing blurring between class-based and rights-based struggles (Ballard *et al*., 2005: 624). Since an identity-based conception of mobilisation is flawed, it is essential to turn to a different explanation of TAC's mobilisation strategy.

Grassroots mobilisation: Exclusion or Inclusion?

Robins stresses that grassroots mobilisation, which spans across racial and class divisions, has been the key to TAC's success. This brand of health activism which straddles local, national and global spaces resembles "globalisation from below" (Robins, 2004: 651). The majority of volunteers are poor, unemployed African women, many of them HIV-positive mothers desperate to gain access to life-saving drugs for them and their children (Robins, 2004: 665). Such a strategy has bestowed political agency upon those who were previously disempowered (Robins & Von Lieres, 2004: 580). One could oppose Robins's assertions on methodological grounds, since he does not providing statistical evidence for his assumptions and only briefly explains mobilisation without elaborating on the details. Even without such evidence, there is a general consensus amongst authors that TAC has mobilised a range of poor and marginalised citizens (Gibson, 2006: 7; Robins & Von Lieres, 2004). However, Friedman and Mottiar (2005) argue that it is not clear that the strategy of grassroots mobilisation has promoted effective leadership and expression of such interests within TAC. The leadership should not merely be acting on 'behalf' of its membership, but should be empowering its members to participate fully and effectively in the process for change.

Friedman and Mottiar raise concerns with the assumption that the grassroots mobilisation strategy of TAC is entirely effective. They argue that internal governance is a better indicator of success than purely evaluating levels of participation[9]. As opposed to other authors, they provide quantitative, demographic data revealing that TAC's membership consists mainly of marginalised members of society. However, the concerns of such grassroots members are not fully informing the agenda of the leadership. Friedman and Mottiar are critical of the 'closed door' decision making of TAC, and the

[9] Although Friedman and Mottiar also acknowledge that participation cannot simply be reduced to internal decision-making. It is also necessary to evaluate the ability of members to become active citizens.

reliance on bureaucratic personnel, which erodes internal democracy and demobilises its base (Friedman & Mottiar, 2005: 549). Moreover, despite the national strategy pursued by TAC to balance its gender makeup, it is still far from full gender equity and its public face remains predominantly male. Women are not yet playing important roles in national leadership (Friedman & Mottiar, 2005: 517). Heywood himself acknowledges a "tension between the profile of the leadership and the base" (Friedman & Mottiar, 2005: 525). Friedman and Mottiar argue that some of TAC's strategies require technical knowledge which would not be available to grassroots members without formal education. The rhetoric that strategic decisions emerge from the political agency of those on the grassroots level, deserves scepticism. TAC is clearly pursuing a redistributive agenda, albeit one which some of the critics feel is not through-going enough, and it may need to widen its roots even further within society, especially through an increased involvement in rural areas. There is a danger of conflict if those on the grassroots level feel that they do not play an effective role in the governance of TAC. TAC's continued success is likely to depend on it addressing the impact of historical disadvantage on its members, and the nurturing of its black and female members (Friedman and Mottiar, 2005: 526).

Mbali presents a slightly different perspective. She is critical of Friedman and Mottiar's study of TAC, which focuses on the operations of TAC and fails to contextualise the issues within an historical framework. She argues that historically contextualising a social movement such as TAC shows how the remembering of longer histories of activism can restore agency to the poor, sick and marginalised people in their struggle for socio-economic justice and dignity (Mbali, 2006: 149).

Neocosmos emphasises that the branch structure of TAC, as described by Friedman and Mottiar, has led to observable contradictions between leaders and membership. Neocosmos claims that the leadership is "overwhelmingly White and educated" (Neocosmos, 2007: 48), while the members are mainly black and poor. This means that historically-dominant voices, primarily white-left intellectuals have been the main mediators of the identity and aspirations of the poor (Neocosmos, 2007: 48). He argues that the politics of TAC have disabled rather than enabled legitimate active citizenship by the poor. There are several reasons for this, including its mode of organisation and massive funding, its hierarchical structure, the fact that it re-enforces the ideology of the biomedical paradigm for which people are seen as passive recipients of medical and state delivery, rather than as active agents in their

own cure. Neocosmos criticises the left-liberal politics' narrow focus on the provision of ARV treatment to extend the lives of HIV/AIDS sufferers. This goal ensures that passivity is pursued at the expense of genuine political agency (Neocosmos, 2007: 47). Neocosmos seems to set up a false opposition between the biomedical paradigm in which patients are passive recipients and an alternative in which they are active agents. Jones argues that TAC promotes an active health citizenship in which activist-patients are not merely passive recipients of treatment. In fact, Jones describes TAC as a "post-apartheid expression of health citizenship" (Jones, 2005: 671).

Furthermore, Ballard *et al*. argue that TAC does not consist of a spontaneous grassroots uprising of the poor as romantically imagined. It is dependent on a sufficient base of material and human resources, solidarity networks and often the external interventions of prominent personalities operating from within well-resourced institutions (Ballard *et al*., 2005: 627). It is important to note that such an approach resembles the structuralist materialist theory of resource mobilisation. Resource mobilisation explains the rise of social formations through a focus on resources and their availability to different social groups (Tilly, 1978: 75). Such a theoretical linkage is mentioned by these authors, but is not properly explored or connected to their discussion of TAC. Moreover, they argue that TAC's strength lies in its rights-based approach to social change.

Rights-based Approach

Achmat argues that "the struggle of TAC is, in the first and last instance, a struggle about our own constitutional rights to life and dignity and also to equity" (Achmat, 2004: 76). He asserts his social democratic viewpoint that a human rights culture, including socio-economic justice, can only be realised if organisations of the poor and working class mobilise around the constitution (Devendish & Mbali, 2004).

There is general agreement that TAC has used a rights-based discourse to frame its struggle for treatment (Mbali, 2006: 129). Scholars agree that TAC has grounded the issue of HIV/AIDS within a human rights-based strategy deployed at local, national and global level struggles (Jones, 2005: 422; Gibson, 2006: 25; Friedman & Mottiar, 2005: 534). However, there are divergent opinions as to whether the means used by TAC are effective in promoting a rights-based approach. Some agree that the engagement with

post-apartheid democratic institutions to promote rights has been effective to win real gains for those marginalised within the system (Mbali, 2006: 131; Friedman & Mottiar, 2005: 549). Jones adds that TAC reveals the potential for human rights to interface with local service delivery. It conjoins the strands of participation and the broader discourse of state and policy-making, hence reconnecting citizens to state duties and obligations (Jones, 2005: 445). However, those on the extreme left argue that TAC should force change independent of the state. The dispute surrounding the specific 'rights-based' tactics used by TAC will be explored in the next section.

Robins draws attention to issues of moral legitimacy as one of TAC's sources of strength (Robins, 2004: 671). He argues that as a result of highly successful global and media campaigns, TAC managed to convince international public opinion and the Pharmaceutical Manufacturer's Association that it was moral and just for drug companies to lower their prices and allow developing countries to manufacture generics (Robins, 2004: 663). Ballard *et al*. briefly mention that TAC challenges mainstream policies on moral grounds (Ballard, *et al*., 2005: 631). Achmat, himself, argues that TAC is not merely about numbers, but about the ability to create a moral consensus. He is critical of the left because of its omission of morality within politics. Morality is an important strategic weapon, which weakens the case of opponents such as pharmaceutical companies (Achmat cited in Friedman & Mottiar, 2005: 540). Friedman and Mottiar highlight TAC's objective of creating such a moral consensus and retaining a moral high ground in all aspects of the movement; including finances, internal democracy, and the running of campaigns. They ascertain that the politics of the moral high ground are more effective than conventional structural analysis might suggest (Friedman & Mottiar, 2005: 554). Friedman insists that the scope for building support and finding receptive responses to moral appeals is significant despite the reality that power-holders' interests may often inoculate them from moral appeals. Strategic analysis is clearly needed to identify the issues in any society on which alliances with the affluent are possible. (Friedman, 2007: 556). This is a plausible argument; however, it has yet to be explored thoroughly in the literature. Few authors refer to morality as a variable in TAC's success, and those on the ultra-left do not engage at all in such discussions.

Conclusion

TAC's success has been put down precisely to the strategy of combining "a rights-based approach as well as grassroots mobilisation" (Robins, 2004: 671). However, this section has focused on pertinent questions regarding such strategies and their contribution to TAC's overall effectiveness. It explored whether TAC is best approached as a class-based movement mobilised around identity, or as a single-issue movement focussed on the issue of treatment. This was revealed to be a weak argument, and TAC was seen rather as a vehicle for mobilising previously disadvantaged and marginalised citizens. It is clear that TAC still faces tensions between its leadership and membership base. The views of the poor and marginalised members have been narrowly explored in the literature, and possibly need to be factored into the analysis of the movement's success.

The literature on TAC discusses its broad strategic frameworks, as well as the specific tactics used to produce outcomes. The critiques and appraisals of such methods will be revealed through an exploration of the explicit tactics used by TAC, and their link to the effectiveness of the movement.

Section IV: Tactics

Friedman and Mottiar (2005) highlight the numerous tactics used by TAC, which span local, national and global levels. They show that TAC maintains alliances with scientists, the media, health professionals, NGOs and government. In addition, it has networked with global organisations such as *Medicins Sans Frontiéres* (Doctors without Borders), the European Coalition of Positive People, Health Gap, Ralph Nader's Consumer Project on Technology (USA) and Oxfam. In its campaigns it uses methods ranging from civil disobedience to legal action, and ingeniously employs the internet for mass mobilisation. Moreover, it runs AIDS treatment literacy and awareness campaigns, and programmes which provide treatment to its members, and offers advice to people undergoing or administering treatment. Such tactics are praised by Mbali (2004), Robins (2004), Ballard *et al*. (2005), Habib & Kotze (2003), and Jones (2005). However, Gibson (2006), Neocosmos (2007), and Boulle and Avafia (2005) present more critical views. Such arguments will be explored throughout this section.

Alliances

Friedman and Mottiar highlight the use of alliances as a means of pursuing a strategic agenda (Friedman & Mottiar, 2005: 555). Social movements that refrain from using such a tactic are likely to remain isolated and weakened. They argue that the key feature of the AIDS campaign has been its ability to compensate for a lack of numbers and organised power by assuming a potential for influence and alliances far in excess of that usually envisaged by social justice campaigners (Friedman & Mottiar, 2005: 557). However, other authors have been critical of TAC's choice of alliances.

Government

TAC has ranged between adversarial and co-operative relations with government at various points in its campaigns (Ballard, 2005: 87). Heywood admits that tensions still remain between them, and a genuine partnership remains elusive (Heywood, 2004: 95). Scholars propose different perspectives on the relationship between TAC and government.

Gibson argues that the more successful a social movement is in gaining access to the state, the more its autonomy and independence is under the threat of co-option and professionalisation. As a movement professionalises, it becomes elitist and hierarchical (Gibson, 2006: 21). He depicts TAC as a movement using an insider approach: working through government while remaining a 'loyal opponent' of the state (Gibson, 2006: 7). Desai describes the mixture of sympathy and opposition to government as a legacy of Achmat's and Heywood's days in the Marxist Workers' Tendency. They sought to remain in the ANC whilst criticising it from a left perspective. He supports an 'ultra-leftist' view by suggesting that this is an inappropriate stance for social movements, which should work entirely outside the political party terrain (Desai, 2004, cited in Friedman & Mottiar, 2005: 522).

Ballard *et al*. discuss the constantly evolving relationship between TAC and government in which the movement uses both formal and informal institutional mechanisms as instruments of socio-economic change. They argue that TAC proves that power does not reside exclusively with political elites, but that various tactics of a social movement may shape a new political order (Ballard *et al*., 2005: 630). Habib and Kotze also claim that

TAC has been the most successful example of bridging the divide between the politics of engagement and opposition (Habib & Kotze, 2003: 266). However, Ballard argues that the decision to work with government on delivery of ARVs may have compromised TAC's ability to oppose the state vociferously in the future (Ballard, 2005: 91). In this regard, Ballard reveals himself to be slightly more leftist than his fellow academics in the Centre for Civil Society, but not as far left as the 'ultra-leftists'.

Friedman and Mottiar argue that the combination of co-operation and confrontation is valuable if it impacts on government (Friedman & Mottiar, 2005: 549). TAC's desire to see a successful treatment roll-out is less an attempt at partnership than a determination to hold government to its stated intentions, which may entail future court action and demonstrations (Friedman & Mottiar, 2005: 536). This reflects the view that alliances with democratic government are possible and co-operation and confrontation can be complementary strategies.

Jones praises TAC on its elective tactical condemnation of particular members of the ANC government (such as President Mbeki and the Minister of Health) rather than outright criticism of the ANC movement. At times, ANC MPs have even been openly supportive of TACs objectives, and have attended NECs, which has enabled it to become even more powerful (Jones, 2005: 434). Robins agrees that it has managed the difficult feat of straddling co-operation with and opposition to government policies. In its legal and political strategies, it reveals a clear understanding of the politics of contingency in contrast to inflexible antagonistic politics of binaries – 'us' and 'them' – used by the extreme left (Robins, 2004: 665).

Boulle and Avafia argue that the confrontational manner in which certain debates and campaigns have been conducted, has contributed to the polarisation of those for and against antiretroviral treatment, with insufficient focus on the common ground. This is a somewhat different view to the ultra-left, and indicates that TAC's tactical choices may have unintended consequences. Such outcomes have yet to be explored in depth in the literature (Boulle & Avafia, 2005: 24).

Other Alliances

Another major alliance of TAC, within the Tripartite Alliance, is that of COSATU. This alliance is a seemingly natural fit, given the similarity in the approach and style of organisation. However, such alliances are not cost-free, and often entail strategic compromise (Jones, 2005: 434). For example, TAC renamed its civil disobedience campaign to that of a 'mass protest' to accommodate COSATU. TAC has had to compromise with other allies as well. TAC found out that its one ally, a counselling group based in Soweto, was being financially supported by a pharmaceutical company. TAC compromised in this case and did not object to continuing their alliance since the money was being used for service provision. Friedman and Mottiar also discuss the alliance with the Catholic Church, which required adjustment from both sides. The church is opposed to condoms, which is considered essential by TAC to curb the spread of the disease. The allies acknowledged their differences and decided to seek co-operation despite them (Friedman & Mottiar, 2005: 546). Thus, Friedman and Mottiar emphasise that compromise is often necessary to maintain strategic allies, so as to strengthen the movement's effectiveness. Authors who are critical of this 'left-liberal' approach have focused their energies on the relationship between TAC and government, and have not thoroughly engaged in the debate over the tactics regarding other alliances. There is also little critical analysis of the linkages between TAC and public figures such as Judge Edwin Cameron[10], Malegapuru Makgoba[11], Archbishop Njongonkulu Ndungane[12], and Nelson Mandela (Friedman & Mottiar, 2005: 534), and of the use of 'reformist' institutions such as the National Economic Development and Labour Council (NEDLAC) to invade internal spaces of government to assert its demands (Heywood, 2005: 209).

The alignment of TAC with health professionals and scientists has received slightly more attention in the literature. TAC has drawn in medical expertise, such as the South African Medical Association, nursing unions, and Medical Research Council to navigate the HIV/AIDS landscape effectively (Iliffe,

[10] Edwin Cameron is the author of the book *Witness to AIDS.* He is a judge in the Supreme Court of Appeal, and has devoted much time to Human Rights Activism.

[11] Makgoba chaired the Medical Research Council between 1999 and 2002, and is the current principle and vice chancellor of the University of Kwazulu Natal.

[12] Ndungane is an outspoken leader against poverty, third world debt and HIV/AIDS. In his youth, he was imprisoned on Robben Island for three years, and has subsequently published many theological works on the Christian view of human rights.

2006: 145). Boulle and Avafia conclude that TAC does not have the same level of expertise in the scientific and medical fields as it does on legal issues, which may have limited its effectiveness (Boulle & Avafia, 2005: 26). Robins argues that, through such alliances and other strategies, the movement has created the political space for the articulation of radical forms of 'health citizenship' linked to a genuinely progressive project of democratising science in post-apartheid South Africa (Robins, 2004: 663).

Conversely, Neocosmos criticises TAC for never contradicting the world medical establishment, thus relying on and reinforcing the established positions and power of the biomedical scientific model. The constant reference to "accepted scientific expertise" (Mbali, 2004: 326) has failed to perceive and contest the political nature of the medical scientific establishment, and has relied on the weight of medical authority to win its struggles (Neocosmos, 2007: 49). The political failure of the TAC has always been its inability to develop a critical perspective towards the Western biomedical model and its unquestioning valorisation of scientificity and liberalism (Neocosmos, 2007: 50).

TAC has also been party to other social justice campaigns such as 'anti-privatisation' and broader calls for investment in public health (Jones, 2005: 435). However, Friedman and Mottiar are critical of the fact that TAC distances itself from other movements. It needs to recognise that it should work together with other social movements and civil society organisations to promote the common good (Friedman & Mottiar, 2005: 552). Desai also highlights the need for TAC to refrain from its isolationist stance, and to become part of more co-ordinated national campaigns. In doing so, the reach and power of social movements will increase (Desai, 2004).

There is not much recent literature evaluating TAC. However, Friedman has argued that the coalition which was assembled to win the 2003 concession has not resurfaced. This 'failure' may have been the result of strategic errors, or could also be attributed to the effectiveness of the 'denialist' diversion. It also may stem from the reality that it is much easier to persuade allies to rally around a specific policy change, as opposed to the practical challenges which still need to be won. The current issues are less clear-cut, and it is far more difficult to instil a sense of urgency in society. However, Friedman maintains that all the evidence suggests that opportunities were indeed missed after 2003. Far more strategic calculations are needed if TAC is to

maintain a successful coalition with key allies and retain sufficient support of the broader public (Friedman, 2007: 41).

To Defy or Not?

Civil Disobedience

TAC's campaigns began with research and rational argument, then moved to litigation and finally protest, only after others failed to bring about policy changes (Heywood, 2004: 114). It has been argued that the civil disobedience campaign in 2003 made reconciliation between TAC and the ANC impossible. Heywood argues in TAC's defence that civil disobedience was a last resort. It resulted from the failure of the ANC to consider a national treatment plan. Such a tactic reveals that, at critical points, TAC does not succumb to middle-class sensibilities and political loyalties, but acts out for broader social change (Heywood, 2004: 115).

Friedman and Mottiar praise the use of such a non-violent defiance campaign, which recognises the challenges and potential rewards of operating in a democratic environment. It shows that significant gains can be won under democratic conditions, whilst retaining key allies and not sacrificing popular mobilisation. Friedman and Mottiar analyse the use of civil disobedience to accentuate the tensions between the 'middle-class' component of TAC, who judged the campaign to be justified, and the grassroots members who feared political vulnerability if TAC seemed to be anti-government. Despite such grassroots concerns, the leadership forged ahead with its civil disobedience campaigns (Friedman & Mottiar, 2005: 535).

Legal Action

TAC's use of the law has been multi-faceted, and it has effectively utilised legal advice through alliances such as with the AIDS Law Project. The movement has framed moral and political demands within the language of legal rights and constitutional obligations (Berger, 2002: 598). Advocate Budlender argues that TAC's use of the court shows that the Constitution creates a powerful tool in the hands of civil society. It ensures that the

government gives proper attention to the fundamental needs of the poor, the vulnerable and the marginalised. Moreover, it demonstrates that social and economic rights are only as strong as the willingness of civil society to enforce them (Budlender, 2002).

Ballard argues that the marginalised are able to challenge the state and thereby shift relations of power, through the legal system, particularly when combined with popular mobilisation (Ballard, 2005: 88). Robins also argues that TAC successfully uses rights-based provisions in the Constitution to secure access to treatment. Through the use of a rights-based discourse within the framework of the legal system, TAC has been able to give political and ethical content to the 'cold letter' of the constitution (Robins, 2004: 665). Robins argues that the use of the courts to promote access to healthcare moves TAC beyond mere liberal individualism and "rights talk" (Robins, 2004: 667). He also argues that "the Constitutional Court judges could not but be influenced by growing support for TAC" (Robins, 2004: 665). Such a statement may applaud TAC for a success that cannot be unilaterally attributed to the movement.

Desai is less optimistic about the role of the courts, and argues that Achmat had not taken into account how socio-economic and political inequality could undermine the supposed objectivity and fairness of the South African justice system. The quality of the Constitutional Court is determined by the judges on the bench. There could be biased appointments shaped by powerful institutions such as the ANC. He argues that courts appear less enthusiastic about ruling in favour of social movements making claims about constitutional rights. The courts should be used as a means of publicity and building solidarity (cited in Devendish & Mbali, 2004). Moreover, court costs are a major obstacle for many citizens in post-apartheid South Africa.

Mbali and Devendish are also critical of TAC for not taking into account the significant barriers preventing ordinary people from effectively accessing and using the Constitutional Court. Firstly, many of the poor are not aware of their rights and how they can seek assistance. Secondly, court action is expensive and it requires the assistance of highly specialised legal counsel, which is associated with its own costs (Devendish & Mbali, 2004).

Friedman and Mottiar argue that the courts are a strategic resource, which were unavailable pre-1994. The opening up of the 'legal space' (Gibson, 2006: 26) is seen as a distinguishing characteristic of the movement. TAC

has maintained a balance between legal and mass action in the streets (Friedman & Mottiar, 2005: 532). However, some members believed that TAC had become too reliant on litigation, since it detracts from popular mobilisation. While there is little doubt that litigation and advocacy have been extremely useful, it should be used in tandem with other strategies and tactics (Boulle & Avafia, 2005:25). Achmat contends that the Constitution is an indispensable tool available to citizens post-apartheid. TAC has shown how the law can be used strategically for progressive purposes, yet he concurs that without social mobilisation the law would be useless to address the real material suffering of poor people (Devendish & Mbali, 2004).

Berger acknowledges law as an important tool for social change, but also recognises that the law should play a limited role in the social movement. Litigation is a necessary but insufficient form of strategic action. Moreover, there is still the difficult task of ensuring the implementation of judgments, which remain at the core of further legal battles (Berger, 2002: 610). Heywood also argues that law is not a panacea for all social problems. Litigation is riddled with risks, and the post-apartheid judiciary obviously reflects the tensions in society. Public impact cannot merely be won through the use of the court, but must be coupled with pressure that is mobilised around the court (Heywood, 2005: 210).

Media

The media has been a substantial resource for TAC. It has been used for press releases, communiqués, public debates, enhancing fund raising capacity, support, and as a counter to propaganda (Neocosmos, 2007: 49). The civil disobedience campaign, for example, received both local and international media coverage. Friedman and Mottiar argue that, while the media are not a formal ally, strategy presumable does need to take into account a need not to alienate the media (Friedman & Mottiar, 2005: 546).

There is a consensus that the use of the media has been a valuable tool for TAC. However, the literature has failed to separate the autonomous actions of the media from TAC's strategies. It often attributes success unilaterally to TAC, without taking serious consideration of the autonomy of the media.

Internet/Technology

Coupled with the media, the internet has been a useful resource for TAC. Pithouse argues that technologies of capitalism that have generally objectified and impoverished Africa have been used to serve the interests of those on whom capitalism has been so "violently parasitic" (Pithouse, 2006: 270). Gibson agrees that the internet makes an ever faster exchange of ideas possible, especially through the networks ability to bypass major centres of power (Gibson, 2006: 17).

In this arena, Friedman actually applauds the viewpoint of 'ultra-leftists'. Regardless of much gloomy talk of globalisation and the constraints which it places on efforts to win effective national policy change, he agrees that a key feature of TAC's campaign is the use of the internet. The opportunities offered by advances in communications technology make co-ordinated cross-national campaigns for justice far more effective by creating new openings for pressure on power-holders which were not nearly as effective before (Friedman, 2007: 43). Such a tool can be exploited to broaden TAC's scope in the international system.

International Dimension

Friedman and Mottiar argue that international allies may have been the most strategically important for TAC. Government is concerned with winning foreign approval, and often succumbs to international pressure, which TAC has utilised to its advantage (Friedman & Mottiar, 2005: 546). However, such alliances come with their own costs. At times, international allies have felt entitled to veto strategic compromises, but TAC is careful to not allow alliances to erode its autonomy (Friedman & Mottiar, 2005: 547). Such a stance reveals globalisation to be a useful resource, rather than a restraint to the movement. There seems to be general agreement that TAC needs to broaden its scope into the international arena to increase its effectiveness in the African AIDS struggle.

Pithouse argues that "social movements need to seek organisationally and ideologically autonomous positions in the transnational movements of movements against millennium capitalism and to push them to become more genuinely global". They cannot merely rely on the charisma of leaders such

as Achmat to weave Southern struggles into a structurally global resistance (Pithouse, 2006: 252).

Ballard *et al*. argue that most of the TAC literature has focused on the domestic environment, whilst there is burgeoning literature on the networks, constraints and opportunities in the transnational system, especially with the challenging neo-liberal discourses of globalisation. This increases the marginalisation of South African actors, such as TAC, which exist within the state. There is an urgent need to transcend national boundaries and connect 'local' to the 'global' (Ballard *et al*. 2005: 618). The authors refer to the broader literature dealing with the expansion of movements into the international arena. They refer to Della Porta and Diana's identification of the shrinking power of the state, and the increasing role of international actors, as well as the shift of power to transnational economic institutions. The more centralised avenues of decision-making are key factors propelling global activism (Della Porta and Diana, 1999).

The significant gains ensured by the link with international activism have yet to be fully explored. The literature is beginning to suggest that larger, cross-national activist networks are needed to make structural inroads into the inequalities within the international system which affect those living with AIDS in Africa (Friedman & Mottiar, 2005: 548).

Conclusion

The literature reveals that that the assessment of TAC's multi-strategy approach is complex. The dilemma revealed in the literature is that the tactics used by TAC have ensured successes, yet some authors argue that these short-term interests are advanced at the expense of long-term change. There is a significant focus on its use of legal action, and a relation with the government to pursue its interests, which is criticised by the 'ultra-leftists'. However, such tactics have ensured some of TAC's key successes, which may mean that these authors need to review their position and adapt it to reality.

While the literature focuses much on TAC's relation to government, and its use of the courts, it only briefly outlines the successes or failures gained through its other alliances. It is important to note that the literature on TAC

briefly discusses the effective use of the media and the internet, and outlines a need for international involvement, but does not explore these aspects in much detail. Moreover, it often assigns successes to TAC, without acknowledging the autonomous influence of other actors in the process, and relating the individual successes to a broader conception of effectiveness. The literature may be accurate in its assumptions of causality, or it may overstate the role played by TAC affecting change. Therefore, it is likely that the literature overstates TAC's degree of impact.

Section V: Conclusion

This literature review began with the question: "Is TAC effective?" However, it argued that the literature on TAC does not provide a comprehensive or definitive answer to this question.

In Section II, difficulties arose concerning the conceptualisation of the movement. Only Gibson (2006), Friedman and Mottiar (2005), and Robins and Von Lieres (2004) draw on the broader social movement literature when discussing TAC, but this attempt proves to be weak and inadequate. Together with Gibson (2006), Mbali (2006), Achmat, Friedman and Mottiar (2005), and Boulle and Avafia (2005), these authors then shift their focus to conceptualising TAC as a 'new social movement', defined in the context of post-apartheid South Africa, without clearly linking the broad social movement literature to this local conceptualisation. This limited connectivity of TAC to broader literature creates a dividing rather than synthesising effect on the field. This makes it difficult to make cross-national comparisons, as well as to test the theories proposed in the general literature on social movements. However, such a division is evident in the broader social movement literature, which may be the source of the flaw. There is further debate as to whether the term 'new social movement' is a distinct category, and whether TAC can be categorised as a 'new', 'old', or 'hybrid' movement. The 'ultra-leftists', including Bond (2006) and Ballard *et al*. (2005) do not restrict themselves to the discussion of social movements, but rather see TAC as an issue-based, interest organisation, which forms the basis of their critique on the effectiveness of TAC. The lack of agreement in the conceptualisation of TAC has implications for measuring its effectiveness, and points to a gap in the current literature.

Section III dealt with the overarching strategies utilised by TAC to effect change. There was a general consensus that TAC does not fall into the 'ultra-leftist' category of a revolutionary movement. However, Neocosmos (2007), Bond (2004), and Vally (2003) question whether its 'reformist' stance has ensured its long term success, or has detracted from the movement's effectiveness. There is a possibility that a move out of the state domain could enable a far reaching impact in the future. Friedman and Mottiar (2005), McKinley and Naidoo (2004) and Ballard *et al*. (2005) argue that there is a disjuncture between such a theoretical, Marxist argument and the empirical data on the successes of the movement. The literature also showed that TAC's use of strategic mobilisation and rights-based discourse has yielded much success. Nevertheless, tensions remain between the leadership and the base, and Friedman and Mottiar (2005) question whether the grassroots members are being actively empowered through their participation in the movement. They argue that such views need to be seriously considered, and factored into the scholarly analysis.

Section IV explored the various tactics utilised by TAC. It revealed that the literature has focused mainly on the alliance between TAC and government, and TAC's use of legal action. Friedman and Mottiar (2005), Ballard *et al*. (2005), Jones (2005), and Robins (2004) argue that such tactics have ensured successes for the movement. However, Neocosmos (2007) and Desai (2002) are more critical of such tactics. Boulle and Avafia (2005), Devendish and Mbali (2004), and even Heywood are cautious in their analysis of such tactics, and reveal the need for TAC to rely less on the use of the courts and focus on other tactics in order to strengthen its effectiveness. The use of the media and internet are briefly discussed within the literature. Friedman and Mottiar (2005), Pithouse (2006) and Ballard *et al*.(2005) all explain the need for TAC to expand further into the international arena. It is important to note that the problem within the literature is its failure to recognise the independence of key actors associated with the movement, and to analyse their contribution to change. Without such a cohesive picture of change, TAC's effectiveness may continue to be overstated within the literature.

Major Gaps in the Literature

There are significant gaps evident in the literature, particularly with respect to the research question posed at the start of this paper. Despite shedding light on certain areas, the literature has many inconsistencies and does not

consider several important issues. Except for Friedman and Mottiar (2005), authors glance over a wide range of themes including strategy, tactics, and organisational structure, without distinguishing them, analysing them in depth, and gauging their relative importance. The authors fail to balance an analysis of the agency of the movement, combined with the structure of the system in which it operates. Furthermore, they do not attribute agency to independent bodies such as the government and the media, but rather view them as a variable in the causal chain of which TAC constantly emerges as the victor. Friedman and Mottiar (2005) provide the most comprehensive analysis of TAC, yet fall prey to methodological weaknesses. Most other authors draw on Friedman and Mottiar's empirical findings when outlining their arguments. However, this means that most of the literature that does exist is marked by repetition, and with little in-depth critique or conceptual engagement with TAC. Most authors briefly draw on TAC to strengthen their arguments, but do not provide an exhaustive case study of the movement. Such methodological deficiencies are a major flaw in the literature

Giugni, McAdam and Tilly (1999) note that 'effectiveness' is a subjective concept. Participants and external observers may have different perceptions, and the literature does not deal with the problem of subjectivity. For example, the 'ultra-leftists' impose their Marxist perspective on TAC, without linking it to the empirical data on TAC, and do not consider the views of grassroots-level members. The authors do not acknowledge that such an argument has roots in older scholarship, such as that of Skocpol in *States and Social Revolutions* (1979) who states that "a gap of one sort or another between theory and history thus plagues both Marxist scholarship and recent social science theories" (Skocpol, 1979: 35). This literature review adopts Skocpol's argument in its discussion of TAC. Theoretical explanations which illuminate the general patterns of causes and outcomes of TAC, need to be explored further to expose TAC's effectiveness. Authors need to focus on the particular case study of TAC, and its role in effecting change in the context of post-apartheid South Africa.

The literature focuses mainly on the positive impact on policy, but does not expand on the negative consequences of the movement, such as the rise of counter movements. There is hardly any mention of TAC's failures, although such instances have occurred. Moreover, there are limits to judging TAC's success merely through policy outcomes. Giugni, McAdam and Tilly (1999) reveal the importance of delving into the structural and cultural outcomes of

movements' actions, and to establish a direct causal link between the movement and the observed changes. The multi-causal factors impacting on such change need to be synthesised into a cohesive outlook on TAC.

Recommendations for Future Research

The literature on TAC still lacks a coherent theoretical framework in the assessment of its effectiveness. Does one judge TAC's success according to its objectives and whether they have been fulfilled, or do the needs of its members and constituents also need to be factored into the analysis? Is a measure of success limited to the impact on government policy, or does it include a wider conception of social and political change? If this is the case, have the causal links between TAC's actions and the change been proven in the literature?

Further research needs to be conducted to explore these questions, in order to provide clarity on TAC's effectiveness. Such research needs to reflect the complex connections between TAC and the durability and direction of the changes it produces in the political, social and cultural arenas.

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