

**BRIGHT NKRUMAH**

# **SEEKING THE RIGHT TO FOOD**

**Food Activism in South Africa**







## *Seeking the Right to Food*

Despite a constitutional right to food, a comprehensive social security structure, being a net exporter of agricultural products and maintaining a rising GDP, freedom from hunger remains a pipedream for millions of South Africans. With a constant surge in food prices, the availability of sustenance is often seriously threatened for all of South Africa's population. While the underprivileged majority residing in townships often demonstrate their discontent for poor service delivery on the streets, they rarely channel this strategy into taming food inflation. This study seeks to understand this irony and examine ways in which this trend could be reversed. Proposing a compelling argument for food activism, Bright Nkrumah suggests ways of mobilising disempowered groups to reclaim this inherent right. Presented alongside historical and contemporary case studies to illustrate the dynamics of collective action and food security in South Africa, he draws from legal, social and political theory to make the case for 'activism' as a force for alleviating food insecurity. This title is also available as Open Access on Cambridge Core.

BRIGHT NKRUMAH is affiliated with the Global Change Institute at the University of the Witwatersrand. He received his DPhil from the Center for Human Rights, University of Pretoria and has published extensively on political contestation, minority rights, food (in)security, urban agriculture and democratisation.





# Seeking the Right to Food

Food Activism in South Africa

BRIGHT NKRUMAH

*University of the Witwatersrand*



University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre,  
New Delhi – 110025, India

103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

[www.cambridge.org](http://www.cambridge.org)

Information on this title: [www.cambridge.org/9781316519790](http://www.cambridge.org/9781316519790)

DOI: [10.1017/9781009019002](https://doi.org/10.1017/9781009019002)

© Bright Nkrumah 2021

This work is in copyright. It is subject to statutory exceptions and to the provisions of relevant licensing agreements; with the exception of the Creative Commons version the link for which is provided below, no reproduction of any part of this work may take place without the written permission of Cambridge University Press.

An online version of this work is published at [doi.org/10.1017/9781009019002](https://doi.org/10.1017/9781009019002) under a Creative Commons Open Access license CC-BY-NC 4.0 which permits re-use, distribution and reproduction in any medium for non-commercial purposes providing appropriate credit to the original work is given. You may not distribute derivative works without permission. To view a copy of this license, visit <https://creativecommons.org/licenses/by-nc/4.0/>

All versions of this work may contain content reproduced under license from third parties. Permission to reproduce this third-party content must be obtained from these third-parties directly.

When citing this work, please include a reference to the DOI [10.1017/9781009019002](https://doi.org/10.1017/9781009019002)

First published 2021

*A catalogue record for this publication is available from the British Library.*

*Library of Congress Cataloging-in-Publication Data*

Names: Nkrumah, Bright, 1982– author.

Title: Seeking the right to food : food activism in South Africa / Bright Nkrumah.

Description: Cambridge ; New York, NY : Cambridge University Press, 2021. | Includes bibliographical references and index.

Identifiers: LCCN 2021015127 (print) | LCCN 2021015128 (ebook) | ISBN 9781316519790 (hardback) | ISBN 9781009019002 (ebook)

Subjects: LCSH: Food security – South Africa. | Right to food – South Africa. | Food supply – Social aspects – South Africa. | Food supply – Government policy – South Africa. | Human rights movements – South Africa. | South Africa – Social policy. | BISAC: POLITICAL SCIENCE / American Government / General | POLITICAL SCIENCE / American Government / General  
Classification: LCC HD9017.S72 N67 2021 (print) | LCC HD9017.S72 (ebook) | DDC 363.80968–dc23

LC record available at <https://lcn.loc.gov/2021015127>

LC ebook record available at <https://lcn.loc.gov/2021015128>

ISBN 978-1-316-51979-0 Hardback

ISBN 978-1-009-01117-4 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

*A simple vote, without food, shelter and health care is to use first generation rights as a smokescreen to obscure the deep underlying forces which dehumanise people. It is to create an appearance of equality and justice, which by implication socio-economic inequality is entrenched. We do not want freedom without bread, nor do we want bread without freedom. We must provide for all the fundamental rights and freedoms associated with a democratic society.*

Nelson Mandela

N. Mandela (1991). Address: On the occasion of the ANC's Bill of Rights conference. *In A Bill of Rights for a Democratic South Africa: Papers and Report of a Conference Convened by the ANC Constitutional Committee*, May 1991, 9–14 at 12.

*For Vero, Bright Jr and Itsaneng  
May they live as food secured South Africans*



# Contents

<i>List of Tables</i>	page viii
<i>Abbreviations and Acronyms</i>	ix
<i>Preface</i>	xv
<i>Acknowledgements</i>	xvii
1 Food Activism and Policy in South Africa	1
2 A Tale of Food Activism	24
3 The Case of Right to Food Campaign	41
4 Rocking the Boat? Mobilising for Food Security in South Africa	59
5 Food (In)Security and Legal Implications in South Africa	77
6 The Unfinished Agenda: Perspectives on South Africa's Food (In)Security	102
7 Dispossession: Reforming Land in South Africa	130
8 Ethical Obligation to Assist Impoverished South Africans	148
9 What Is to Be Done: Overcoming Policy Fragmentation in South Africa	166
<i>References</i>	184
<i>Index</i>	219

# Tables

4.1	Citizens' activism	<i>page 61</i>
6.1	Percentage increase (+) or decrease (-) in level of poverty	112
6.2	Poverty levels in South Africa	120
6.3	Ratio of South Africans living under food poverty line	120
6.4	Number of grant beneficiaries	125
6.5	List of grants and beneficiaries	126
6.6	Values of maximum social grants	127
6.7	Changes in the price of commodities	127

## *Abbreviations and Acronyms*

AbM:	Abahlali baseMjondolo
AFP:	Agence France-Presse
AgriBEE:	Agricultural Black Economic Empowerment
ANC:	African National Congress
AoA:	Agreement on Agriculture
APF:	Anti-Privatisation Forum
APL:	Above Poverty Line
ARV:	Antiretroviral Drugs
BBEE:	Broad-Based Black Economic Empowerment
BC:	Before Christ
BMA:	Biscuit Manufacturers' Association
BPL:	Below Poverty Line
CASP:	Comprehensive Agricultural Support Programme
CBOs:	Community Based Organisation
CDG:	Care Dependency Grant
CESCR:	Committee on Economic, Social and Cultural Rights
CGE:	Commission for Gender Equality
CMP:	Common Minimum Programme
CO:	Commissioners' Office
COGs:	Counter Opposition Groups
CompCom:	Competition Commission
COSATU:	Congress of South African Trade Unions
CRDP:	Comprehensive Rural Development Programme
CRLR:	Commission on Restitution of Land Rights
CSOs:	Civil Society Organisations
CSR:	Corporate Social Responsibility
DA:	Democratic Alliance
DAFF:	Department of Agriculture, Forestry and Fisheries
DALRRD:	Department of Agriculture, Land Reform and Rural Development
DBE:	Department of Basic Education

DED:	Department of Economic Development
DG:	Disabilities Grant
DLA:	Department of Land Affairs
DoH:	Departments of Health
DoL:	Department of Labour
DPME:	Department of Planning, Monitoring and Evaluation
DPSP:	Directive Principles of State Policy
DRD:	Department of Rural Development
DSD:	Department of Social Development
EFF:	Economic Freedom Fighters
EU:	European Union
FCG:	Foster Care Grant
Fetsa Tlala:	Fetsa Tlala Production Plan
FHHs:	Female Headed Households
FMF:	FeesMustFall
FPL:	Food Poverty Line
FSA:	Food Security Act
GCI:	Global Climate Institute
GHI:	Global Hunger Index
GIA:	Grant-in-Aid
GSA:	Government of South Africa
GTAC:	Government Technical Advisory Centre
HFNSS:	Household Food and Nutrition Security Strategy
HIV/AIDS:	Human ImmunoDeficiency virus/ Acquired ImmunoDeficiency Syndrome
ICDS:	Integrated Child Development Services
ICESCR:	International Covenant on Economic Social and Cultural Rights
IFSS:	Integrated Food Security Strategy
IMF:	International Monetary Fund
JSE:	Johannesburg Stock Exchange
KJV:	King James Version
LBPL:	Lower-Bound Poverty Line
LCC:	Land Claims Court
LHR:	Lawyers for Human Rights
LPM:	Landless People's Movement
LRAD:	Land Redistribution for Agricultural Development
MAFISA:	Micro-Agricultural Financial Institution of South Africa
MALA:	Ministry for Agriculture and Land Affairs

MDM:	Mid-Day Meal
MoH:	Ministry of Health
MPs:	Members of Parliament
MTCT:	Mother-to-Child Transmission
NA:	National Assembly
NAC:	National Advisory Council
NAFU:	National African Farmers' Union
NCOP:	National Council of Provinces
NDP:	National Development Plan
NEHAWU:	National Education Health and Allied Workers Union
NFNSAC:	National Food and Nutrition Security Advisory Committee
NFSA:	National Food Security Act
NFSB:	National Food Security Bill
NFSP:	National Food and Nutrition Security Implementation
NGO:	Non-Governmental Organisation
NLA:	Natives Land Act
NPC:	National Planning Commission
NPFNS:	National Policy on Food and Nutrition Security
NPL:	National Poverty Line
NSFAS:	National Student Financial Aid Scheme
NTP:	National Treatment Plan
NUMSA:	National Union of Metal Workers
OAG:	Old Age Grant
OECD:	Organisation for Economic Co-operation and Development
PDS:	Public Distribution System
PIL:	Public Interest Litigation
PM:	Prime Minister
PMA:	Pharmaceutical Manufacturers' Association
PMTCT:	Prevention of Mother-to-Child Transmission
PUCL:	People's Union of Civil Liberties
PUWS:	Public Welfare System
PwDs:	Persons with Disabilities
PWS:	Private Welfare System
RBOGs:	Rights-Based-Opposition Groups
RDP:	Reconstruction and Development Programme
RFC:	Right to Food Campaign
RSA:	Republic of South Africa

RTF:	Right to Food
SA:	South Africa
SAHRC:	South African Human Rights Commission
SALG:	South African Local Government
SANT:	South Africa National Treasury
SAPS:	South African Police Service
SARS:	South African Revenue Service
SASSA:	South African Social Security Agency
SCMs:	Steering Committee Members
SECC:	Soweto Electricity Crisis Committee
SERAC:	Social and Economic Rights Action Center
SLAG:	Settlement/Land Acquisition Grants
SPII:	Studies in Poverty and Inequality Institute
SRGD:	Social Relief of Distress Grant
SSA:	Sub-Saharan African
StatsSA:	Statistics South Africa
TAC:	Treatment Action Campaign
UBPL:	Upper-Bound Poverty Line
UK:	United Kingdom
UN:	United Nations
UPA:	United Progressive Alliance
USA:	United States of America
USS:	University Support Staff
WB:	World Bank
WBG:	Well-Being Group
WCAEC:	Western Cape Anti-Eviction Campaign
WFC:	World Food Conference
WPs:	Welfare Programmes
WVG:	War Veterans Grant
ZAR:	South African Rand

This title is part of the Cambridge University Press *Flip it Open* Open Access Books program and has been “flipped” from a traditional book to an Open Access book through the program.

*Flip it Open* sells books through regular channels, treating them at the outset in the same way as any other book; they are part of our library collections for Cambridge Core, and sell as hardbacks and ebooks. The one crucial difference is that we make an upfront commitment that when each of these books meets a set revenue threshold we make them available to everyone Open Access via Cambridge Core.

This paperback edition has been released as part of our Open Access commitment and we would like to use this as an opportunity to thank the libraries and other buyers who have helped us flip this and the other titles in the program to Open Access.

To see the full list of libraries that we know have contributed to *Flip it Open*, as well as the other titles in the program please visit [www.cambridge.org/fio-acknowledgements](http://www.cambridge.org/fio-acknowledgements)





## Preface

*Seeking the Right to Food* is a discourse on the subject of food insecurity, and how to bridge the gap between strong policies and weak practice. It serves as a window into the daily struggles and social injustice perpetuated against humans who inhabit a geographical enclave christened South Africa. A reader might wonder why an entitlement debate, particularly in post-apartheid South Africa, deserves further consideration. In responding to the question simply and without equivocation, three contradictions inspired the planning and writing of the book. First, while the right to food is entrenched in South Africa's Constitution, there is no specific statute or department to give effect to this right. Second, while human rights activists have, on numerous occasions, approached the Constitutional Court to enforce socioeconomic rights (water, housing and health), food security-related NGOs have taken a back seat in this arena. Third, while hundreds of South Africans often take to the streets in demand for service delivery, this form of mobilisation has rarely been channelled to improved access to food. Why is this the case and how can this trend be reversed?

In seeking to understand the limited contestation around food insecurity, I drew from the work of social theorists in developing my central argument: in a regime where there is bureaucratic inertia to the politics of provision, collective action could serve as a legitimate means of triggering reform. Yet, in order to do so, present-day citizens, as their ancestors before them, need to be conscientised of their rights and freedoms, and their capabilities to use mobilisation as a tool kit for transforming existing institutions to improve their conditions. This form of sensitisation is key as a disproportionate percentage of citizens are oblivious of their entitlements as rights holders and that the state has an obligation as a duty bearer to fulfil this entitlement.

As a counter-discourse, *Seeking the Right to Food* builds a compelling argument that the right to food paradigm is increasingly being eclipsed

by other rights, as scholars and policymakers shift their attention towards the growth of dominant civil/political and social/economic rights. The book provides a more direct answer by arguing for a rehabilitation of the notion '*right to food*' as quintessential to human development and welfare. In constructing an alternative epistemology of increasing commitment to food security, the book locates prevalent hunger in the human rights-based approach, and emphasise that the right to food and other rights (broadly construed) are inextricably linked, and not mutually exclusive imperatives. To improve the lot of needy men, women and children, it is important to both safeguard their access to sufficient food and advance their general human rights.

Drawing from (inter)national norms, as well as real-life historical and contemporary contexts, the book argues that freedom from hunger, like other liberties, can only be achieved through coercive authority of political and social institutions to respond to the needs of the impoverished. Above all, it assesses more affirmative, coercive and legitimate approaches of transforming policies into practice, as well as modern-day activists' approaches to be adopted by supposedly (quasi) judicial institutions to give teeth to the right to food. By advocating for food activism, the book ultimately departs from conventional approaches that citizens, scholars and human rights practitioners will ordinarily envisage. Besides advocating for litigation and moral appeals as a means of improving the lot of the poor, it makes forays into the annals of legal-social thoughts, engaging with all the relevant conceptual discourses, and drawing lessons from different settings, including the US, Canada, France, Haiti, United Arab Emirates, Saudi Arabia, Syria, Bahrain, Jordan, Egypt, Germany, Britain, Spain and Senegal. By drawing from these countries, it situates the food security within the framework of accountability and actual disputes, giving rise to possibilities of redress such as adjustment of legislations, norms and practices. To this end, even though the book was inspired by daily struggles and deprivations in South Africa, it serves as an apt theoretical framework and a blueprint for present and future generations in South Africa and elsewhere to collectively transform economic systems, which deepen inequality. Considering that hunger is a global phenomenon, I hope this contribution will be of use to economists, policymakers and human rights advocates as they seek to advance social justice and human dignity in the Global North and South.

## *Acknowledgements*

The content of this book is the outcome of many conversations and stimulating interactions I have had with many friends and colleagues over the years. I wish to acknowledge with sincere gratitude the support of my respective mentor and friend, Geoffrey Amponsah and Hilda Esezobor. Geoffrey and Hilda were generous in providing me with a space to complete the book.

A number of friends and colleagues encouraged me to pursue the manuscript to its completion or read aspects of the draft manuscript. In particular, Coleen Vogel deserves my gratitude. As my post-doctoral supervisor, I am especially indebted to Coleen for her guidance and intellectual inspiration, while encouraging active engagement in various activist platforms. It gives me great pleasure to also thank my colleagues at GCI, Bob, Francois, Mulala, Serge, Kaera, Ruwa, Anita, Khangelani, Yolani, Heidi, Faith, Jacqui, and David.

I would like to thank one person who played an important role in the process of planning, writing and publishing this book: Magnus Killander. Words cannot express the invaluable contributions of Magnus who sparked my interest in pursuing unconventional approaches to advancing social justice. I also owe particular thanks to Prof Dan Kuwali, Dr Romola Adeola and Dr Michael Addaney, all of whom provided searching criticism and perceptive comments on the draft.

My wife Itsaneng, children Bright Jnr and Veronica, were a constant source of support. I am greatly thankful for their love and encouragement. I will also thank my parents and siblings, Ben Bright Nkrumah, Veronica, Patricia, Christie, Juliana, Prince, Stephen and Emmanuel, for your constant guidance and support. Although I have not always heeded your counsel, you continue to be instrumental in my development.

I thank two anonymous readers from Cambridge University Press for their insightful criticisms and useful suggestions. I extend the same gratitude to Maria Marsh (Commissioning Editor) for her outstanding work throughout the publication process. While all these people have provided invaluable support in one way or another, the conventional caveats apply.

# 1 *Food Activism and Policy in South Africa*

## Introduction

Despite South Africa's pledge to fast-track action towards food security, the severity of hunger is troubling as 6.8 million of the population remain underfed (StatsSA, 2019a: 8; *Global Hunger Index*, 2019). Even though over the last two decades there has been some improvement in this barometer, the country is witnessing a surge in a new form of malnutrition, obesity, which now plagues 31.1 per cent of males and 59.5 per cent of females (Cois and Day, 2015: 2; Hunter-Adams *et al.*, 2019). The rise in obesity, coupled with insufficient diversity of diet, has been a major contributory factor of non-communicable diseases including cardiovascular ailments (Tugendhaft *et al.*, 2015). This negative development is an indication that the hard-won political battle fought by many against the apartheid regime has not translated into food security for the country's population (Nkrumah, 2018a).

Indeed, the contribution of citizens towards the liberation struggle imposed a political obligation on the country's leadership to ensure their right to food (RTF). This obligation was clearly articulated by Nelson Mandela (1993; own emphasis) when he mooted that '[w]e do not want freedom without *bread*' and 'our liberation should guarantee human dignity, freedom from want, freedom from deprivation'. Yet, twenty-five years after the country's turn to democracy, the realisation of RTF remains elusive (Chakona and Shackleton, 2019).

On the legal front, following the country's negotiated transition to democracy in 1994, it adopted what could be referred to as one of the most progressive constitutions in terms of safeguarding civil/political and economic/social rights. It is one of very few constitutions globally which codifies RTF by making citizens' access to food justiciable (Nkrumah, 2019a). To be exact, the country's constitution obliges

the government to take all reasonable measures to ensure that every individual has food security or adequate access to food.

Despite this landmark constitutional and political commitment, widespread chronic hunger persists in rural and urban South Africa (Hatcher *et al.*, 2019). Why is this the case, and how can this sorry state be undone? Put differently, what factors underpin the strong rhetoric and yet weak commitments for RTF in South Africa? Do existing concepts, policies and institutions hinder or facilitate individual and household attainment of this universal aspiration? This book responds to these burning questions by analysing conceptual frameworks relating to food (in)security, key issues and challenges, and finally a review of socioeconomic policies which can facilitate people's access to food.

While several factors may be seen as the underlying causes of the current state of widespread hunger, it may not be farfetched to indicate that there is lack of understanding or conceptualisation on what food security implies and what measures are needed to facilitate its realisation. This inspiring and lively book argues for a rehabilitation of the notion of 'food activism' as a conduit to improving household food security in South Africa. It contributes towards an improved understanding of the RTF, triggering discussion on the need for adoption of a more comprehensive instrument backed by a specific institution to improve people's access to adequate food. Its point of departure from existing and on-going research on RTF is a recognition of five hypotheses: (i) RTF is attainable if the state adopts the needed legislation, sets up the right institution and provides the necessary resources for the effective operation of this institution; (ii) RTF deserves to be entrenched in one comprehensive instrument and not be fragmented and operationalised piecemeal among different government departments; (iii) given that there are many variables (unemployment, HIV/AIDs, rising food prices) militating against poor households in their attempt to access food, there is the need for the establishment of a unified government department, to achieve the RTF more holistically; (iv) issues surrounding RTF must be prioritised in the national agenda as food insecurity threatens the mental health of expectant mothers and development of foetuses; and (v) RTF is inevitable as it is meaningless to codify civil/political or other socioeconomic demands (such as education) when one is famished (Mandela, 1993).

All these hypotheses raise discursive questions on the content of existing policies which purport to achieve zero hunger, and the

effectiveness of the institutions tailored to achieve these objectives. In keeping with contemporary thinking on the intricate nature of RTF, the book draws upon various disciplinary perspectives, and ultimately adopts Sen's (1982) entitlement theory which conceptualises food security as a human right. The book illustrates that in the context of evolutionary thinking, food insecurity in (South) Africa and beyond is not tied to the insufficient yield or scarcity of farm produce in the local market, but rather the insufficient ability of households to access cash to buy or land to cultivate their own food. These arguments are presented in simple language, to enable not only the development expert to understand the approach to be adopted in promoting food security agenda in the (South) African context, but also for the poor and famished to understand their inherent RTF and how they could press for it. In doing this, a case study of food activism across four continents is discussed, with specific emphasis on India's Right to Food Campaign. These cases may serve as blueprints for advocates of food security to emulate in their attempt to concretise and advance citizen's RTF in (South) Africa and beyond. Of importance is the discussion on the rationale behind the very limited mobilisation around RTF in the country and how public action could be used to influence the adoption of a food security instrument to improve the nutritional needs of the poor, especially pregnant women who have been excluded from mainstream social grants. The strength of the book further lies in its discussion of how a strong constitutional and political mandate at the national level has not translated into food security at the individual and household levels.

It needs to be said that South Africa is neither short of policies asserting to end hunger, nor institutions claiming to have the mandate to improve access (Hatcher *et al.*, 2019; Garekae and Shackleton, 2020). Why, then, is this book advocating for a renewed focus on RTF? The answers are directly linked to the abovementioned hypothesis. Simply put, this book is striking in three main ways: first, it uses a human rights approach to assess public policy. It challenges human rights activists and scholars to transcend issues of procedural justice in order to analyse distributional justice and the complementary role of socioeconomic policy; second, by using a human rights framework, the book analyses the shortfalls in public policies and how they can be triggered to address gender biases, income inequality and poverty. The book therefore makes an enormous contribution to scholarship

as it focuses on empowerment, the process of participation, poverty, equality and human well-being; and third, it surveys RTF from the standpoint of people, by assessing the nexus between poor socioeconomic policies and their impact on community, household and individual food security.

### **Historical Background to Food Insecurity: Facing an Unequal World**

Hunger is not a contemporary phenomenon. It dates back to the biblical story of Joseph in Egypt when he predicted in Pharaoh's court that there would be seven years of bounty followed by seven years of scarcity (Rogers, 2019). This could be seen as a typical early warning system to addressing food insecurity. Subsequently, the falling of manna from heaven to replenish the Israelites fleeing from Pharaoh in Exodus can be considered as the first form of food security intervention (Bruni, 2019). Besides these biblical legacies, there are traces of food insecurity which persisted before the Hellenistic period (between the death of Alexander the Great in 323 BC and the emergence of the Roman Empire). As far back as 66 BC, thousands of Romans stormed the house of then Roman consul, Marcus Cicero, in demand for food, which more prosaically, could be interpreted as a classic illustration of food activism (Alkon and Cadji, 2020).

In recent times, however, food security climbed the global agenda in the 1970s in the wake of its impact on development programmes, especially in the Global South (Heucher 2019). Nonetheless, over the last decade, it has become evident that interest in the subject has waxed and waned partly due to the evolving nature of the variables underpinning food insecurity and the evolving concept of development more broadly. Simultaneously, there has been a slow but steady shift in the conceptualisation of food security by refocusing the debate towards individual and household access to (in)sufficient food rather than (inter)national or regional food supply (Jun *et al.*, 2019). Even though some scholars have attempted to swing back like the pendulum from consumption to supply issues, in the case of South Africa, the focus of attention has been on the poor, the food insecure and other vulnerable groups since the state is food secured (Claasen and Lemke, 2019).

When framing the issue of food (in)security and undernutrition, especially within the context of Sen's capabilities approach, it is useful



to assess the content of public policies through the lens of human rights standards. Human rights are framed not merely as inherent rights entrenched in a collection of legislations, but as ethical norms, and they form the foundations of political and legal commitments which have been codified as (inter)national standards and, thus, gained legitimacy as universal values. It goes without saying that basic rights are inextricably linked to capabilities which allow people to enjoy a meaningful living condition. Specifically, due to their importance in enhancing the dignity of individuals, these rights should not only be entrenched in every (inter)national instrument but serve as a guiding compass for all political regimes. The decision to use a human rights framework is reinforced by the South African 1996 Constitution which adopts human rights language in several of its provisions, especially within the Bill of Rights. In addition to serving as a useful benchmark for measuring state accountability and compliance with its treaty obligations, human rights criteria considerably overlap with the capabilities approach in their human-centred analysis.

Akin to other rights, RTF is entrenched in a plethora of international and regional human rights instruments, and at the domestic level, the 1996 Constitution.<sup>1</sup> These instruments set out an expansive framework of norms relating to the duties of states and rights of individuals (and households). According to the 1966 International Covenant on Economic Social and Cultural Rights (ICESCR, to which South Africa is a party), there are three key conditions necessary for the realisation of the RTF: maximising the use of food for effective nutrition, improving physical and economic access, and enhancing availability.<sup>2</sup> In particular, article 11 of the ICESCR avows that a state could be said to be food secured when every individual has economic and physical *access* to sufficient food or the means for acquiring it at all times.

Nonetheless, legal provision is not the only means of realising rights, and guaranteeing rights in documents does not ultimately translate into practice. The enforcement of rights cannot be attained through legal

<sup>1</sup> These instrument include the 1948 Universal Declaration of Human Rights, 1966 International Covenant on Economic Social and Cultural Rights, 1989 UN Convention on the Rights of the Child, 1981 African Charter on Human and Peoples' Rights, 1990 African Charter on the Rights and Welfare of the Child, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

<sup>2</sup> South Africa became a party to the ICESCR in 2015.

protection alone. Ensuring food security is a key policy objective for any regime. But, from a human rights perspective, alleviating hunger is not merely a policy objective, rather it constitutes a legally binding duty to adopt legislative and other (reasonable) steps to ensure its fulfilment. Indeed, access to adequate food is determined by a plethora of conditions stretching from the quality of accessible products, availability of suppliers, opportunities to produce one's own food and prices of food in the markets, to household incomes. This, in turn, is based on the existing social strata which ensure that all have a means of acquiring food. It is, further, dependent on the availability and fair distribution of opportunities and resources such as land, water, farming instruments and access to work as a means of generating income.

The RTF, is basically an inherent right of households and individuals to have access to the means (through acquisition or own production) to feed themselves, rather than the right to a basket of mere grains or a particular number of calories. The various regional and (inter) national human rights instruments, therefore, impose an obligation on states to adopt and operationalise suitable food security interventions, which could be done by putting in place the necessary social arrangement. It is for this purpose that human rights instruments place a duty on states to *fulfil* the enjoyment of rights and not merely *promote* and *respect* them, either by refraining from or forestalling third parties from hindering the enjoyment of individual access. In the context of South Africa, these positive duties to *progressively realise* and *fulfil* are specifically important as millions are denied the right to access adequate food, and this trend can only be reversed through pragmatic policies and interventions which target poverty eradication and enhance development (Devereux, 2016). The duty to *fulfil* involves a positive obligation, which encompasses taking proactive policy measures (to ensure that people have adequate access to food), rather than the obligation not to breach this right. The instruments prescribe the duty of *conduct* and *outcome*, underscoring that states must adopt proactive steps to ensure that citizens are not starved (De Vos and Pierre, 1997). The ICESCR, in this light, however, does not spell out a specific set of measures to be adopted.

Like one's toothpaste, soap and sandals, food is a commodity to be acquired in the market, and this obliges duty-bearers to ensure that they are sufficient and reasonably priced in the market to be accessed by the poor. Human rights instruments like the ICESCR specifically affirm

that the steps to be adopted by states should be tailored towards making the food basket affordable, and not merely to available. The state can achieve this objective by managing or regulating several factors which are driven by market forces such as market distribution, wages and prices of grain and other agricultural commodities. For this reason, the underlying argument of this book is that states have (inter)national obligations to operationalise food programmes, monitor the prices of food or provide the poor with the means of generating income or land for own production. It is important to underscore that these recommendations should not be seen as an act of charity by the state, but an overarching duty imposed by (inter)national instrument on the government to prioritise the food needs of its citizens, even though they do not explicitly set out specific policy regimes or policy choices (including the level of market intervention) to be adopted or implemented. To substantiate this final assertion, the chapter turns to assess some of the theories underlying food security and how the present definition of this concept came about.

### Theories of Food Security?

Since the 1974 World Food Conference (WFC), the notion of food security could be seen as evolving in three phases: (i) focus on individual access to food; (ii) food as the most fundamental of all human needs; and (iii) impact of poverty on food security. A brief discussion of these three phases will be useful.

*Individual access to food:* This first phase took place mainly in the period 1975–85 (UN, 1975). Within this era, the term *food security* was defined by the WFC as constant supply and availability of basic foodstuffs to offset fluctuations in prices and productions, as well as sustaining a steady expansion of food consumption (Gerlach, 2015). The definition placed emphasis on supply, import stabilisation of schemes, proposals for global food stocks and a concern with national self-sufficiency (Ram *et al.*, 1975). These issues undoubtedly occupied centre stage in early scholarly work on food security. Nonetheless, from the onset, it was evident that insufficient food supply at the (inter)national level inextricably trickled down to household and individual food insecurity, as scarcity of food increases the price of available food, thereby (in)directly impacting on the capability of the poor to access these commodities (Hawkes, 1974). But this cannot be said of

a regime which has sufficient food and yet millions are starved. One literature which can be considered as leading the crusade towards shifting the question of food access from the national to the individual level is Sen's (1981) *entitlement approach*, which argues that hunger is not caused by inadequate food in the market, but lack of means to access it. Yet, this literature was preceded by several others in the 1970s which echoed similar sentiments (Brown and Eckholm, 1974; Harrar, 1974; Rosenfeld, 1974; Ram *et al.*, 1975; Pimentel, 1976). For this reason, one cannot justifiably make the claim that inadequate food supply is the cause of food insecurity (especially in the context of South Africa), without citing lack of entitlement or access as an immediate causative factor. In contemporary times, it has been more suitable to primarily define food insecurity as lack of entitlement, with production (at best) serving as a means to an end, either by driving market prices down indirectly for consumers and directly for food producers (May, 2018). Yet, uncertainties remain, especially in terms of whether the basis of assessment should be at the household or individual level. Whereas one camp has positioned intra-household resource and power allocation as the central focus of their assessment, others place individual food security in the front line of analysis. Indeed, the first camp acknowledges the significance of intra-household concern, with focus on health conditions of mothers and children (Kirkpatrick *et al.*, 2015; Burke *et al.*, 2016; Grobler, 2016; Li *et al.*, 2016; Sriram and Tarasuk, 2016). The disparity, nonetheless, lies in whether intra-household concerns are seen as more desirable assessments of health conditions or caring capacity or issues within the scope of food security. On the other hand, most sub-Saharan literature agrees with the notion that individual access to food in a household is mostly tied to the access they have to household income, as well as the control they exercise over the resources in the household (Chakona and Shackleton, 2017). Hence, the effect of hunger can be dire, especially on the reproductive health of women and growth of children. In this sense, while acknowledging the complex relationship between the (inter)national, provincial, household and individual levels, most contemporary definitions of food security zero in on individual entitlement. One definition which has adequately captured this development, and thus is widely cited, is a World Bank (WB, 1986) policy study which defines food security as access by all individuals to sufficient food at all times for a healthy and active life. This explanation draws a vital difference between transitory

(short term) and chronic (long term) food insecurity. The emphasis here is on individual food security, or one's (in)constant access to adequate food for active participation in society and not simply for survival.

*Food as primary need:* Triggered by concerns of famine in Africa in the early 1980s, the second phase occurred largely after 1982. Following Maslow's (1943) theory of needs, the conventional perception of food security within this era was of food as a lower or primary need. Food was viewed as an essential element to enhance stable and enduring strata and organisation of social life, and was essential for survival and basic to all human needs (Campbell, 1990). Yet, in recent times, the assumptions underpinning this perspective have been challenged. It has been identified that short-term nutritional consumption and food (broadly construed) is merely one of several aspirations individuals seek to attain (Regassa, 2011). According to some scholars, since food is not an ultimate objective, people often devise and follow a plethora of adaptive or coping strategies especially in times of drought (Campbell and Trechter, 1982; Corbett 1988). One observer argues that for people living in rural area and confronted with famine, forestalling food insecurity is not one of their policy priorities (Jodha, 1991). To buttress this assertion, de Waal (1991) and Webb (1993) add that, in order to avoid having to sell their animals or to preserve their seeds for cultivation in their own fields, Sudanese and Ethiopians respectively preferred to endure a substantial level of hunger during the 1984–5 Darfur famine. This conclusion seems to purport that the hallmark of this era was the quest of people to starve now in order to forestall future hunger. In other words, the essential feature of this generation was the management of risk and vulnerabilities. Hence, a society within this era was seen to be food secured only when it had established internal structures which would enable it to withstand shocks or threats to its available food resources for tomorrow or posterity. This practice brings to bear three classifications of households within this regime: (i) fragile households – those prone to shocks; (ii) resilient households – those who quickly bounce back from shocks; and (iii) enduring households – those who continuously maintain food security (Webb, 1993).

*Impact of poverty on food security:* This final phase may be tied to scholarship from the late 1990s to present times. It is dominated by scholarship which assesses poverty on two fronts: subjective analysis (feelings of deprivation) and objective analysis (the conditions of

deprivation) (McCurdy *et al.*, 2010). These two models have been replicated in recent scholarship on poverty in rural areas. For instance, while Bhattacharya *et al.* (2004) speak of poverty as predictive of poor nutrition, Morrissey and colleagues (2016) link child malnourishment to family income. The most common definitions of food security within this phase could be grouped into three main categories, usually construed as: (i) nutritionally sufficient, reliable and a timely supply of food (Donkin *et al.*, 2000; von Braun and Tadesse 2012); (ii) intake of less than 80 per cent of daily average requirement of calories (Powell and Bao 2009); and (iii) target levels of intake (Korenman *et al.*, 2013). Suffice to say that definitions framed in these contexts are problematic, on two grounds. First, they lack qualitative analysis, and second, the concept of nutritional sufficiency poses a problem. Nutritional requirement for any person is determined by factors such as individual's behaviour, environment, work load, weight, health and age. Estimations of needed nutrition for children and average adults with similar activities might differ from one person to the next. This projection can even be further complicated by including adaptation strategies. It is, thus, a challenge to precisely estimate caloric requirements for different categories within the population. These discrepancies appear to underscore Maxwell's (1996) projection that nutritional needs must be considered as value judgements. Granted that this deduction is correct, it triggers a puzzling question: whose assertion is correct? In other words, who is to make value judgements for nations, communities, households and individuals? As this question lingers, it suffices to consider some of the global institutional definitions which have been ascribed to food security and whether they really capture the essence of this somehow elusive concept.

### **Global Institutional Response to Food Security**

Attempts by the international community to provide a comprehensive definition and a binding instrument to achieve RTF could be seen as evolving in five stages. The first, spanning from 1972 to 1980, was marked by severe famine in the Horn of Africa, the Sahel and other parts of Africa (Watts, 1991). The rarest and most striking characteristic of this crisis was the similar failure in harvest and massive grain imports by the Soviet Union which led to doubling of international grain prices (Spinoni *et al.*, 2015). This setback could not be addressed

by existing institutional structures as this was a global food crunch and exacerbated by institutions ill equipped to address the issue. In order to strengthen the global food security regime and enhance the prospect of states to overcome this challenge, an institutional overhaul was undertaken. The first step was the enhancement of the capacity of the WFC to monitor global food stocks, trade and production (Ram *et al.*, 1975). Following the recommendation of the WFC in 1974 for specific food agencies, the UN General Assembly in 1975 established the World Food Council to monitor production, while the Global Information and Early Warning System (GIEWS) and World Food Security (WFS) were also set up to ensure availability of food at the global market for procurement by states (Shaw, 2010). Interestingly, this period of conceptualisation and operationalisation of food security interventions occurred in an era which equally witnessed greater global attention being given to poverty and rising inequality in development discourse. Thus, key issues which dominated this regime were unemployment, basic needs projects and integrated rural development agendas. These themes were forcefully outlined in McNamara's (1973) groundbreaking Nairobi speech and the subsequent 1976 International Labour Organisation's adoption of the notion of *basic needs* (Palmer, 1977).

The second phase occurred in the early 1980s when debates about hunger and poverty attained prominence in nutritional literature and later found their way into other scholarly works. It was evident that although individuals required access to food, the production of food alone was not a guarantor of access or consumption. Even though the 1980s witnessed a broad range of scholarship on food security, their relevance or impact in shaping policy was brief. Yet, one literature which survived the test of time was Sen's (1981) notion of entitlement which was instructive in taking the debate forward. In its quest to contribute to global food security, the European Community within this same year launched an action plan which led to the mapping of food programmes in four select African countries (Clay, 1983). In an attempt to shift the focus of food security, the landmark research of Reutlinger and Knapp (1980) was funded by the WB whereas the Food and Agriculture Organisation (FAO) framed an eclectic definition of food security which placed emphasis on stability, production and specifically access in 1983 (Reutlinger and Knapp, 1980; Mechlem, 2004). All these attempts unfortunately coincided with the International Monetary Fund's (IMF) structural adjustment programme (SAP) which prioritised

external and internal liberalisation, macroeconomic stability, fiscal balance and debt management over basic needs and poverty reduction (Nkrumah, 2017). In view of this situation, the urgency for practical food security intervention faded, even though hunger and needs ideas have improved.

The third phase may be tied to development in 1984 to the latter part of 1980. Two striking features within this era are worth citing. First, the UN Children's Fund (UNICEF) and relevant international human rights agencies in 1987 successfully refocused global attention on the negative (socioeconomic) impact of SAP on developing and less-developed countries, especially those in Africa (Cornia *et al.*, 1987). Second, the 1984–5 famine in Africa paved way for renewed interest in mapping for the causes of food insecurity, which resulted in the WB report on poverty and food security. Major players such as the FAO, WB and European Commission launched food security surveys in several African countries (Lele and Candler, 1984; Ndegwa, 1985). Other landmark scholarly works emerged which clearly delineated the difference between safeguarding entitlement or protection against shocks, and promoting entitlement or enabling individuals to have lasting food access (Longhurst, 1988; Mellor, 1988; Weber, 1988).

The early 1990s marked the fourth phase of the international community's attempt to comprehensively alleviate hunger. The publication of *World Development Report on Poverty* (WB, 1990) could be considered as the main feature of this era, particularly as it highlighted poverty eradication as the panacea for citizens' food insecurity. What, however, exacerbated the drift away from poverty was the shift in the factors underpinning hunger in the early '90s. The mass starvation in this phase was triggered by war as opposed to the traditional cause of famine, namely drought (Nkrumah and Busingye, 2017). While starvation caused by drought could, to some extent be managed with considerable efficiency, the issue in this context relates more with ensuring constant food supplies in a fragile political environment fraught with policy and social breakdown, and not so much with national food crisis *per se* (Nkrumah and Viljoen, 2014).<sup>3</sup> For instance, at the height of apartheid in the early 1990s, with widespread arrest,

<sup>3</sup> The early 1990s was an era of mass atrocities in several African countries, stretching from Rwanda, Southern Sudan, Angola, Liberia and Somalia to apartheid South Africa.



torture, maiming and arbitrary execution of black South Africans, the country remained food secure at the national level (Rogerson, 1993). Consequently, several donors favoured poverty reduction programme (inequality) studies to the detriment of food security interventions (or assessments) even though both strongly overlap. For whereas food security was somewhat considered in this fourth phase, the emphasis was placed on linking overseas development assistance (ODA) to the management, rehabilitation and development of – and ultimately establishing codes of conduct for – the disbursement and use of ODA in a politically unstable environment (Mundy, 1992).

It must be noted that hunger did not completely disappear from the global agenda as starvation was not wholly eradicated at this stage. Issues relating to hunger, and specifically undernutrition, were kept in the public eye by two events: the 1990 World Summit for Children and the 1992 International Conference on Nutrition (Shaw and Clay, 1998). These symposiums, coupled with the widespread starvation within this phase, incited the WB to adopt two interventions, the 1993 *Conference on Actions to Reduce Hunger* and 1995 publication titled *Strategy for Reducing Poverty and Hunger* (Shaw, 2007).

The last phase commenced in the mid-1990s and can be said to have thrived until now. Concerns of food security were once again propelled to the global agenda due to revived spikes in food price. It goes without saying that the prospect of pro-hunger policies seems to have witnessed a surge in this era. This brings to bear whether the focus should be placed on sustaining access or consumption, which were dominant in the 1980s, or drift back to food availability, especially in light of Malthus' (1798) hypothesis that population will outgrow food production. These issues were highlighted in the 1996 World Food Summit in Rome, as participants were divided and hotly debated these issues (Shaw and Clay, 1998). Far from direct food access, actors at the summit (the public, negotiators, pressure groups, academic, commercial interests and civil society) pressed for the inclusion of different concerns, in particular, the impact of political change, trade liberalisations, globalisation, genetic manipulation and biodiversity on food availability and access. The resulting outcome, being the 1996 *Declaration and Plan of Action*, however, adopted a balanced approach to all these issues, with emphasis on human rights to food. The document sets out state commitments in this domain and laid a foundation for debates on measures

towards forestalling food insecurity, such as buffer stocks, disaster preparedness, fair trade, access to income, rural development, sustainable agricultural practice and poverty reduction. For instance, the call for buffer stocks was aimed at (p)reserving sufficient food during bumper harvests which could be used to offset price fluctuations or hikes in times of food scarcity. The document concluded by mandating the FAO Committee on Food Security to monitor states' compliance with their national action plans (NAPs) to alleviate chronic hunger. It is within this context that the [next section](#) considers South Africa's NAPs to alleviate the plight of the food poor (chronically hungry). But before that, a brief assessment of contemporary definitions of food security beckons.

### Contemporary definition of food security

As discussed previously, while food insecurity was historically conceptualised as inadequacy of supply or production, a growing number of scholars challenged this notion in the early 1980s and '90s when aggregate supplies increased and undernourishment persisted ([Longhurst, 1985](#); [Sarris, 1985](#); [Mellor, 1988](#); [Staatz et al., 1990](#)). Drèze and Sen (1989) countered that being well fed is based on several capabilities such as participating in household decision-making, being well informed and being healthy. By analysing the environmental, institutional and socioeconomic conditions which underpin individuals (in)ability to assess and consume food, their thesis opens up an assessment of the causes and constraints confronting food security. This capability approach greatly influenced international debate by shifting the traditional FAO (1975) definition of food security as '[a]vailability at all times of adequate world food *supplies*' to 'when all people, at all times, have physical and economic *access* to sufficient food, safe and nutritious food that meets their dietary needs' ([FAO, 1996](#); [UN, 1975](#); own emphasis). Evidently, the latter definition breaks food security into five pillars: *stability, utilisation, adequacy, access* and *availability*. Whilst this definition is quite distinct from the notion of RTF, the two are closely aligned. Akin to the latter definition of food security, the RTF is conceptualised as 'the right to have *regular, permanent* and *unrestricted access*, either directly or by means of financial purchases, to quantitatively and qualitatively *adequate* and sufficient food' (OHCHR, 2019; own emphasis).

Needless to say, the capability and human rights approaches overlap in setting out overarching frameworks for accessing remedies which could mitigate the multidimensional and multisectorial causes of food insecurity at the individual and household levels. These conceptualisations are key as they open up a fairly distinct policy framework in terms of the indicators used, and how the units of analysis and objectives are set. The conceptual definitions underscore the paradigms which create a narrative by providing reasons for selected policy responses, mainly through the listing of the various constraints and required remedies for overcoming undernourishment. Without essentially considering the causes of insufficient consumption of calories, the dual (capability and human rights) approaches give due regard to nutritional policies and programmes. They further support investments which enhance aggregate production even without due consideration to who the beneficiaries might be, by creating a narrative of chronic hunger as the end product of poverty, unemployment and insufficient welfare system. This individual-entered approach has sprouted as an overriding notion in recent times, informed policy-framing and endured among many stakeholders in the Global South and beyond, including South Africa.

### South Africa: Policy and Rights

It is important to indicate at the onset that the adoption of the contemporary FAO (1996) definition of food security came only two years after South Africa's transition to democracy and coincided with the adoption of the country's Constitution. The shared year of birth of the FAO's overarching definition of food security and South Africa's 1996 Constitution, however, has not translated into advancing the RTF at the local level. The persistent hunger and malnutrition plaguing millions is underpinned by a chain of factors, spanning household asset base, livelihoods and occupational status, gender, spatial and geographic locations, the structure of households and demography (Nkrumah, 2019b). The demography of the country reflects inequality on the basis of class and race. For instance, in contrast to their white compatriots, black South Africans have a higher fertility rate and lower life expectancy.

The impacts of inequalities between white and blacks are most visible in the educational system. Whilst blacks constitute 81 per cent of the total population with whites making up 7.8 per cent (StatsSA,

2018: 8), only 3.4 per cent of the black population aged between eighteen and twenty-nine are receiving tertiary education, as opposed to 18 per cent of their white counterparts in this category (StatsSA, 2019b: 2). Lack of access to higher education may inevitably hinder one's prospect of efficiently competing in the job market, which will substantially impact one's living standing, especially in terms of overcoming food insecurity. A case in point: whereas only 1.7 per cent of unemployed persons in 2018 had tertiary education, followed by 34.2 per cent of those with a secondary-level education (SLE), about 57.1 per cent of those with an education level below SLE were unemployed (StatsSA, 2019c: 7). With South Africans being net buyers of food, unemployment or lack of exchange entitlement exposes one to persistent hunger, with rural and (peri)urban black populations being most vulnerable (Chakona and Shackleton, 2019). In the context of food security, exchange entitlement implies exchange of endowments such as labour or skills for food. The lack of access to wage not only impacts the household dependency ratio, but also their accessibility to nutritious food.

In a country like South Africa where there is hunger in the midst of abundant food supply, Sen's entitlement approach is specifically instructive. In 2017, the country recorded a 24 per cent increase or 62.9 million tonnes in agriculture production as compared to 50.8 million tonnes in 2016 (SA Government, 2019). Arguably, this aggregate increase could be said to have emanated from the commercial sector, as smallholders are ill equipped to cultivate adequate crops or keep animals. While some steps are being taken towards commercial farming, agricultural support services to smallholders remain relatively weak. A typical example is that of the 15.6 per cent households involved in farming, only 11.1 per cent received government support, with 7.0 per cent receiving dipping/livestock vaccination services and a meagre 2.2 per cent receiving agricultural training (SA Government, 2019).

As discussed in Chapter 6, many households are confronted with food insecurity due to insufficient land, unemployment, widening inequalities and meagre wage which has hindered their ability to acquire nutrition. Exchange entitlements have further deteriorated in recent times due to massive retrenchment in the public and private sectors (which has impacted on many households), coupled with increases in value-added tax (VAT), and the rising cost of living and food prices

(SARS, 2018).<sup>4</sup> As growth in the banking, manufacturing and mining sectors decline, there have been massive job losses in these sectors, resulting in an increase of 127,000 unemployed persons by the end of 2018 (StatsSA, 2019c: 7).

Given that South Africans are generally net food buyers, the state may adopt three key strategies as a means of enhancing exchange entitlement: reducing food prices, adjusting wages or providing free staple food to the poor. Further, leveraging the imbalance between wage and food price ration could be attained by: (i) ensuring that food prices do not unduly escalate; (ii) extending state procurement to small-scale farmers while enforcing competition in the food market; and (iii) creating and expanding employment opportunities as an important drive towards food security (Battersby, 2012; Nkrumah, 2019c). Yet, policy measures such as stabilisation of prices through price ceilings, management of food reserves and raising minimum wages have fallen through the cracks in the framing of food interventions, thereby eroding exchange entitlements and generating considerable price hikes. To this end, Chapter 4 examines the lack of regulation in the food market – especially in low-income townships and local markets – which have resulted in these areas becoming food deserts, and with poorly served retail stores.

As demonstrated in some sub-Saharan Africa countries, self-sufficiency is the basic means of overcoming hunger among rural communities. This form of farming, conventionally defined as the ability to meet one's consumption needs from one's own production instead of purchasing, however, has not been a thriving source of livelihood in South Africa, as the majority of the population lack land for this purpose. Besides land, the lack of own production may be tied to lack of training and provision of agricultural materials such as pesticides and tools to boost food production. The country's agricultural sector is often categorised into large-scale/commercial, on one hand, and smallholder/subsistence/traditional, on the other. In light of the output of the former, comprehensive strategies and programmes have been crafted to provide improved state assistance to farmers in this arena, even though a disproportionate percentage of the population cannot afford the food produced by this sector (DoA, 2002; Nkrumah, 2018b).

<sup>4</sup> From 1 April 2018, VAT increased from 14 per cent to 15 per cent.

Additionally, there is no coherent policy measure to enhance subsistence farming as a conduit to direct food access, particularly as it is traditionally believed that it cannot play a substantial role in alleviating hunger (Nkrumah, 2019b). Presumably, this pessimism may be linked to the fact that women constitute a disproportionate percentage of subsistence farmers. Clearly, this belief calls for an urgent need to assess the gendered dimension of traditional farming. At the practical level, one may somewhat link the decline in subsistence farming to the growing rural–urban migration. Invariably, the ones left behind are either too old, too young or less enthusiastic to engage in farming, and with the very few who do, often perceiving it as a form of coping strategy or to supplement their dietary needs.

Urban farmers are also confronted with insufficient access to lands and water for cultivation, as well as a plethora of legislations which proscribe some from planting crops or rearing particular kind of animals in some municipalities (Nkrumah, 2019c). To this end, while only 4.5 per cent of households in Gauteng created backyard gardens, this figure declined in Western Cape where only 2.8 per cent are involved in agricultural activities (StatsSA, 2018: 58). In light of its importance in improving food access among rural and urban households while addressing poverty through selling of surplus food supplies, subsistence farming should be considered as an important element of an overall strategy to alleviate hunger in rural or urban centres.

In stark contrast to other forms of entitlement, one of the essential means through which South Africans access food is social assistance, with the social relief of distress (SRoD) grant providing short-term relief in the form of food parcels or vouchers to those in desperate need and yet disqualified from conventional grants. While salaries serve as the major source of income for 65.4 per cent of households, government cash transfers remain the only source of income for 44.6 per cent of individuals (StatsSA, 2018: 6). According to StatsSA (2018: 6), 57.4 per cent of households in Limpopo and 59.3 per cent in the Eastern Cape rely on grants rather than wages or other forms of income. Yet, 19.2 per cent of households in Mpumalanga, 22.7 per cent in Eastern Cape and 23.2 per cent in Limpopo depend on remittances for sustenance (StatsSA, 2018: 6). To this end, Chapter 4 pays considerable attention to some of the positive impacts and barriers confronting the effective distribution of social transfers, particularly as this form of entitlement serves as the lifeline for many.

A major component of state policy linked to production-based entitlement is the land reform programme and associated support programme. Even though some have mooted that it will increase food production, there is no guarantee that land redistribution will translate into improving the lives of the poorest of the poor who constitute a greater percentage of hungry households (Levin and Weiner, 1996). Whilst the question of land repossession has been a running theme in many scholarly and political debates, the nexus between inadequate access to land and chronic hunger has rarely (if at all) been clearly articulated as a particular policy aspiration. The few who have somewhat highlighted this link can be grouped into two camps. The first argues that a section of the population are simply not interested in smallholding (Altman *et al.*, 2009; Battersby, 2012), and the second argues that while large tracks of land are available and accessible, those who wish to expand production are ill-equipped and/or hindered by inadequate support services (Altman *et al.*, 2009; Hendriks and Olivier, 2015; Nkrumah, 2019c).

In addition, even though people enjoy civil/political and economic/social rights, these have not evolved to the enjoyment of food security, especially as millions battle with job cuts, unemployment and lack of land for production. It goes without saying that this development has contributed to rising levels of social conflict and dissatisfaction in several parts of the country, particularly around mining areas, inner cities and university campuses (Nkrumah, 2019d). It can be argued that food insecurity may be an underlying factor to the numerous social discontents, otherwise termed as the ‘uprising of the impoverished’, even though hunger has not been a pivot around which activists seek for policy reform.

Invariably, behind the upsurge of wage strikes and dissent are issues of alienation, poverty and hunger in the midst of decadence and opulence displayed by historically advantaged white capitalists and newly advantaged African National Congress (ANC) elite. In light of this, Chapter 6 explores why South Africa, gaining reputation as the ‘protest capital’ of the world, has not yet witnessed nationwide food activism despite rising food prices (Runciman, 2017). The chapter interrogates this with reference to a data set of activism, with specific reference to citizens’ discontent spanning from 1994 to 2004, merged with a corresponding set spanning from 2004 to present (SAPS, 2019: 151). The data will be sourced from the annual report of the South

African Police Service which captures a yearly crowd (peaceful/violent) incident. In doing this, the book will summarise the key features and evolutions of social movement in South Africa since the collapse of apartheid, especially as some have triggered political contestation and influenced policy reforms.

The central question of the succeeding chapters is, how can citizens bring about food policy reform in South Africa? As part of responding to this overarching question, detailed case studies are incorporated here from India and South Africa. Drawn from two different regions, the cases will have three emphases: (i) why and how contemporary citizens of these countries resort to activism as a means of addressing social injustice; (ii) whether dissent really triggers reform; and (iii) whether the ways of mobilising around food and political cultures share much across regions and geography. The chapters demonstrate that a golden thread which runs through both cases is that growing inequality underpins citizens' discontent and associated insecurities. The lesson drawn from the case study in India is that food poverty and food activism mainly occur out of a growing disenfranchisement and sense of alienation on the part of disproportionate percentage of the population. Based on a human rights framework as a tool of analysis, a key conclusion of the book is that one aspect of activism (for instance demonstration) alone is not sufficient to bring about policy reform; rather it must be backed by other forms of activism such as advocacy, litigation and lobbying of key policy actors.

### **Synopsis: Structure and Scope of the Book**

Rarely do many books conclude in the uncluttered manner they first begun, and this is no different. This book started with an aspiration of solely concentrating on the disjuncture between policy rhetoric and practical implementation as a way of moving human rights debate on South Africa's food (in)security forward. The initial thought was to write a book which contrasts, from a human rights perspective, the policy and institutional gaps as the sole constraints exacerbating individual and household's undernutrition. Yet, as this [first chapter](#) progressed, it became more and more clear that it was imperative to step back and frame a theoretical framework for analysis before shifting to human rights instruments, national policies and their implementation agencies. It became gradually necessary to further attempt to exhume



the historical and sociocultural contexts within which households and individuals who are the bearers of chronic hunger and undernourishment exist. Subsequent chapters discovered that food insecurity is not restricted to a particular location, rural or urban, but cuts across provincial and gender boundaries. Once this projection was accepted, an overarching question which kept arising as being the rational starting point in this book: why is South Africa nationally food secured, and yet millions are food insecure? Ultimately, an issue that initially seemed to be a preliminary question – something to be swiftly dispensed with before addressing policy and institutional gaps – became *the* issue which gave the general discursive direction to the book by shaping its theoretical and legal analysis. This is the background which provides the book its all-encompassing triangulation of the state, the poor and nongovernmental organisations in constructing a discourse on food (in)security.

Though remaining keen in contesting the policy and institutional failures in this arena, the book has a broader scope. It provides a wider discursive analysis into critical undernutrition issues, from the cause(s) of chronic hunger to planning and policy interventions. Aside from the conclusion, the book is partitioned into three focal parts.

### *Part 1: Rudimentary Phase to Food Activism*

Part 1 is composed of four chapters – the present introductory chapter and chapters 2, 3 and 4. The chapters are foundational as they serve as the philosophical and normative basis of how food activism is conceived. This introductory chapter traces the evolution of the concept of food (in)security. **Chapter 2** provides the building blocks for a theoretical survey of food activism, supported by a comparative analysis in order to shed light on the conditions and properties in which it emerges. In **Chapter 3**, the book surveys the strategies applicable in food activism. In the process, the Right to Food Campaign (RFC) was picked on the basis of its abundant techniques blending different forms of activism (stretching from litigation, demonstration, advocacy and lobbying) to influence the adoption of India's 2013 National Food Security Act. The chapter, as a result, serves as a blueprint for activists and advocates in and beyond South Africa on how to launch dissent or political contestation in a regime which lacks political will to promote the RTF. **Chapter 4** highlights how non-state

actors can act in the interest of the famished by coercing an unwilling government to adopt proactive legislation and effective institutions to improve food insecurity. The major focus here was an analysis of the strategies used by a thriving activist movement to trigger political will. The chapter draws on the *Abahlali baseMjondolo*, #FeesMustFall and Treatment Action Campaign in seeking to understand why South Africa has not yet experienced large-scale mobilisation around food security. This is against the backdrop of the country's activist judiciary, rampant dissents and several nongovernmental organisations purporting to have food security mandates. The chapter concludes by setting out the reasons why the famished have not mobilised to hold the state accountable for their insufficient access to food as protected by the constitution.

### *Part 2: Setbacks to the Right to Food*

Part 2 has three chapters which focus on interrogating the various policy and institutional constraints in alleviating chronic hunger. **Chapter 5** argues that the evolution of RTF into a justiciable right at the national level has been met with several challenges. It assesses some of the legal impediments or claw-back clauses militating against the operationalisation of the RTF, and concludes that in order to enhance its enforcement, access to food needs to be linked to other socioeconomic rights (water, health, education and social security) which together hold the promise of radical transformation in democratic politics. **Chapter 6** argues that problem of food insecurity is exacerbated by the lack of, or poor communication between, relevant government departments responsible for this entitlement. The aim of this section is to provide an in-depth analysis of these problems and interrogate possible remedies for addressing these burning issues. **Chapter 7** discusses the various challenges that rural and urban smallholders face in accessing land for food production. It interrogates the question of land expropriation in contemporary debates and questions whether transferring land without compensation from previously advantaged (white population) to previously disadvantaged black Africans is the panacea for alleviating poverty, inequality and persistent hunger. It concludes by defusing the prevalent notion that persistent hunger is something experienced only by rural folks and that urban residents are immune from this condition.

*Part 3: Strategies to Overcoming Hunger*

Part 3 has one chapter, which focuses on making a moral claim for the hungry. The central question is: do states and affluent members of society have a moral obligation to provide for the impoverished? What happens if some are willing to assist and yet others are not? Should the state impose poor tax on the affluent in order to provide for the underfed?

*Part 4: Policy and Institution to Strengthen Right to Food*

Part 4 comprises one chapter, organised around interrogating whether there is the need for extra legislation in addressing food insecurity, primarily in light of the plethora of policies alleging to do the same. If the answer is in the affirmative, which instrument is best suited for this purpose and what features must it possess? **Chapter 9** argues it is necessary to close the policy and institutions gaps by adopting an overarching instrument to address the three-part challenge of unemployment, poverty and inequality. But what if the state is unwilling to take this step? The chapter concludes by elaborating on the various courses of action which could be taken by (non)state actors towards the adoption of a unified food security instrument and institution.

In essence, it is not the objective of the book to offer a decisive theory on how to respond to the issue of food insecurity in South Africa. Instead, it is to provide a discourse on the short-, medium- and long-term measures which could be adopted to address persistent hunger. The book seeks to construct a plausible account of economic and social legislation which could be operationalised to enhance individual and household access to food, but invariably leaves the question of how to eradicate food insecurity open to deliberation. Thus, instead of conclusion, the book ends with an epilogue.

## 2 | *A Tale of Food Activism*

### Introduction

As the world grapples with a cure for the novel Coronavirus (COVID-19), issues of food activism continue to remain relevant on the global agenda. Of great concern are the economic ramifications of the infection as high-risk countries impose stringent lockdown, thereby limiting the purchasing power of those in the informal sector. This is the case in South Africa where unemployed youth face the quandary of food price hikes caused by hiccups in supply chain and panic buying (Beltrami, 2020). To a great extent, the current dilemma starkly reminds one of the 2007/8 global economic crisis and food activism which swept across Asia, sub-Saharan Africa, North America and the Middle East and North Africa (MENA region).

By its very nature, food activism is a communally based, apolitical and impulsive reaction to erosion of entitlement and structural deprivation (Friedmann, 1982). Common people resort to activism as a defensive act against a political economy of food insecurity and intolerable inflation by demonstrating their dissent in public spaces. Since its eruption marks a shift in politico-economic structures of a society, food activism could be assessed through the lens of (citizen-state) power struggles and endogenous political debates. This assumption brings to bear a key question: what is food activism and what conditions underpin this form of mobilisation? In unmasking the complex factors underpinning citizens' agitation for food, it will be insightful to survey instances of such mobilisation, the forms they assumed, the gendered nature of the constituents and the (a)political status of the organisers.

The chapter is divided into four sections, excluding the introduction and conclusion. First we consider a nuanced understanding of food activism, in particular, why a populace elects this strategy over formal

channels of deliberation. The second part takes the discussion forward by taking a closer look at the theoretical factors which underpin mass mobilisation. The third part examines the structural elements which incite ordinary people to act. In order to identify the similarities or differences in the approaches used by change agents, parts three and four will be infused with case studies. The [final section](#) draws lessons for future food activism in South Africa and beyond.

## **What Is (Food) Activism?**

In (un)democratic regimes, there are two forms of spaces open for citizens' engagement in public decision-making: invited and invented arenas. The former implies conventional platforms for public dialogue on key socioeconomic and political decision-making. This platform is widespread in democratic states and includes legislative bodies such as the USA's Senate and House of Representatives, the UK's House of Lords and Commons and South Africa's National Assembly and National Council of Provinces. Actors in this arena contest for votes and are elected to represent the interests of their constituencies in a conventional and formal platform. In contrast, invented spaces, otherwise referred to as activism, are those unconventional strategies framed by groups to highlight a specific grievance or displeasure. With known examples including advocacy, petitions and basic demonstrations, these actions are often decried as illegitimate by conventional media and states (Chabal and Daloz, 1999; [Weinstein, 2007](#)) even though they are usually peaceful actions which transparently demonstrate discontent against the state.

Activism may be defined as the use of unconventional tactics to change government policy or make a political statement. It encompasses all contentious politics between the people and their politicians to reclaim previously established entitlement which is being denied. The phrases 'collective action', 'contentious politics', 'political contestation', 'dissent', 'demonstration' or 'protest' all fall within the framework of activism as they rely on informal channels to press their demands. Key features of activism are often ground-up or grassroots actions, with dominant actors being temperate or militant civil society organisations (CSOs), non-governmental organisations (NGOs), social movements and (dis)organised individuals with a common grievance. Players may be proactive or reactive in their approaches ([Lynn and](#)

Williams, 2018). In terms of the former, they may use court action, petitions or demonstration to forestall the state from adopting a particular policy or undertaking a specific action which they deem detrimental to their wellbeing. A case in point is the thousands of New Yorkers who walked from Colorado to California protesting the proposed mass roundup, detention and deportation of undocumented migrants (Bose, 2019; Youn, 2019). A graphic illustration of reactive response, on the other hand, is the deadly demonstration which rocked Sudan's capital, Khartoum, on 19 December 2018 and eventually brought down Omar al-Bashir's thirty-year dictatorial rule. Even though some demonstrations may turn violent, as in the case of dousing Bolivia's Vinto mayor, Patricia Arce, with red paint, or ongoing anti-government unrest in Hong Kong, it is imperative to draw a line between activism and other forms of collective action such as riots, revolutions and armed rebellion.

Whereas activism is an expression of grievances or discontent without a threat of regime change, other radical actions, such as riot, revolutions and armed rebellion, will not be recommended as a reformatory strategy in this discussion. The reason for their exclusion is informed by their undemocratic tenets: riots, for instance, involve violent acts even though the present no severe threat to the incumbent government. At the extreme level, revolutions may imply removal of the class structure or political regime (Tilly, 2003). It goes without saying that revolution encompasses the emergence of two forces – riots and demonstrations – as it attracts a section of the population to bring down a regime (Sen, 2008). Armed rebellion, which is somewhat related to insurgency, is theorised as an irregular force often directed at the overthrow of a regime (Chabernet *et al.*, 2019). With that being said, conditions which facilitate this uprising include citizens who provide safe havens for rebels, mountainous territories and weak political regimes unable to crack down and penalise insurgents.

Activism may be seen as an effective weapon for the poor to express their grievances, particularly in light of limited access to invited or conventional spaces (Schumilas and Scott, 2016; Stevens *et al.*, 2016). Besides, the relevance of the activism may be tied to the allegation that members of the invited space represent their own interests or that of their parties rather than their constituencies (Stevens *et al.*, 2018). Activism, especially demonstration, is thus perceived as an avenue for grassroots mobilisation or actions which act as coping strategies and

survival mechanisms for the marginalised to trigger socioeconomic reform, contest the intellectual and moral leadership of the ruling elites and improve their standard of living by holding the ruling class accountable (Opp, 2009; Schneider *et al.*, 2019).

As a significant groundswell for social transformation, food activism encompasses an array of political strategies used by grassroots actors to galvanise dissent against unregulated food markets and high commodity prices. It occurs along two lines, vertical and horizontal networks. On the one hand, horizontal networks may be classified as engagements at the grassroots level, particularly among individuals, their neighbours, family members, religious organisation and local market (Sneyd *et al.*, 2013). In a plethora of cases discussed in the following, horizontal networks could be found in the long-standing community of housewives and mothers. Vertical networks, on the other, serve as the interplay between the populace and their authorities. Yet, in light of the age-old hostility between suppliers and consumers, this notion may be ascribed to citizen–market interaction (Tilly, 1971). Before taking to the streets, activists carefully frame their grievance(s), assess the possible hindrances, and consider the feasibility of their demand, who to target and the political climate (Bush and Martiniello, 2017). Consideration of these elements is vital as demands are unlikely to be granted in a community with massive population explosion, loose networks *within* the horizontal lines and with the vertical axis. Breakdown of institutional, market and kinship bonds may cause the state to harshly quell demonstration and the populace might lack the required unified force to challenge its authority. Yet, the more organised and stable a society is, the more likely the state is to make concessions (Sutton *et al.*, 2013). In a stable society with dense networks, elites are more likely to be tolerant as existing relationships with the common people enhance reciprocal familiarity. This form of engagement may establish a tacit code of protest containing the rules of engagement, the conduct of each party and the expected outcome.

The phenomenon of mobilising against unacceptable inflation or scarcity dates back to antiquity. History tells us that in 57 BC, Clodius stirred up dissensus against Roman consul Marcus Cicero for his unwillingness to step down for Pompey who had promised to ship low-priced grain to Rome (Africa, 1971). This strained relationship between the poor and their betters continued well into AD 160 when grain reserves in city stores sharply depleted but army warehouses

overflowed with supplies. Unable to overpower security guards, the masses plunge into nobles' silos and looted grain. As no individual was held accountable for plunders, one could conclude that dearth and price hikes legitimised raiding of public stores and official residences in Republican Rome (Erdkamp, 2002: 7–8). Yet, the act of looting private homes became virtually obsolete from the eighteenth century. The partial disappearance of this practice may be linked to the fundamental transformation in the structure of power which disempowered local activists to directly influence policy as local policymakers had been stripped of their decision-making authority. The formation of robust, centralised state and unified national markets resulted in shifting of the loci of power from the community to the national level (Hassanein, 2003), ultimately disempowering local actors. It is worth recalling that the new era severed peasants' control over local economies, grain production, price setting and distribution. The shift further eroded *noblesse oblige* and different facets of paternalism as local elites had limited access to resources to assist peasants in times of crisis (Haydu, 2011). Indeed, extraordinary times call for extraordinary measures. In response to the transition, a new form of galvanisation emerged from the eighteenth century until this day. In stark contrast to earlier, uncoordinated and reactive response, post-eighteenth century mobilisations have shifted their loci from local to national levels as improved transportation systems enhanced mobility. These contemporary forms of collective action are forged out of formal associations, grounded on solid ideologies and operate with specific agenda (Bellemare, 2015). These movements often mobilise mass campaigns and picket in public spaces as a way of winning public sympathy while catching the eye of targeted policymakers. In view of their effectiveness in overcoming food insecurity, well-coordinated food activism events have been used to influence price-setting and market regulation till this day (Wittman, 2015).

But why does food activism continue to draw popular attention? First, given that a disproportionate percentage of household income is spent on food, inflation, therefore, has a massive effect on poor and middle-income consumers. Although dearth or unjust prices may affect all households, its impact on the 'poors', as they have come to be branded in South Africa, routinely becomes a public concern as millions are affected. Second, the tendency for consumers to demonstrate against hikes is higher when some are unemployed and have the time to



join an action which seeks to protect their interest. One question comes to mind: What elements incite people to mobilise for food? At the primary level, a simple, but not simplistic, answer will be hunger. Yet, while one can simply respond to the question without equivocation, mass mobilisation may nevertheless be triggered by a chain of factors. In order to understand these factors, the [next section](#) maps different aspects of food activism, taking into account the era, geographic location and gendered nature of its participants. Although some of the factors may overlap, they could be grouped under two overarching headings, conceptual and structural.

## Conceptual Factors

Theoretically, the behaviours, attitudes and conduct of people are shaped by the ethics, norms and values in a community. These concepts define the engagement between individuals and their families, community networks and government. In understanding the conditions which underpin citizens' mobilisation, five of such norms come to the fore: moral economy, relative deprivation, framing, politics of provision and political opportunity.

### *Moral Economy*

The concept of moral economy is an intricate aspect of one's social life and not only relevant in moments of dissent ([Reed and Keech, 2019](#)). It may be defined as the pool of (pre)political thoughts which are dominant in a specific community and control the desirable, natural means of allocation of societal wealth. The notion implies that people have an inherent right to access sufficient food and that this form of entitlement is lodged in the gut where hunger intersects with justice ([Hossain and Kalita, 2014](#)). Moral economy imposes an ethical obligation on states to ensure that the haves are able to obtain food at a reasonable price, while the have-nots are provided with food or the means of accessing food ([Sayer, 2000](#)). For this reason, a government's moral legitimacy rests on its ability to provide for its populace, particularly by ensuring that they are fed. The concept may be seen as laying the groundwork for the 1789 French Revolution following King Louis XVI's economic mismanagement and the resultant rising starvation. In May 1793, when the monarch refused their demand for bread, women went on

a rampage, seizing grain and sacking shops (Hufton, 1971). The reaction reflects not just dearth of bread, but a conception of injustice and dynamics of moral economy as the eighteenth century era witnessed a transition from paternalism to laissez-faire economics that placed responsibility on women as breadwinners. This form of dissent continued well into the early 1900s. To be exact, women of northern France took to the streets to oppose price spikes in basic food supplies as foot and mouth disease broke out in 1911. Attracting thousands of mothers and housewives, the protesters engaged in scuffle with security agents as they rushed farmers' carts (Hanson, 1988). In stark contrast to these centuries, even though many local markets in the twenty-first century have regular supplies, a disproportionate percentage of people remain malnourished due to poverty. Quite strikingly, the definition of poverty has changed over the ages, as what was considered elites' luxury goods like butter, cheese, milk and eggs, have now become cheap commodities for wage earners. As the latter now perceive these commodities as staples, any setback that impacts their ability to purchase them is interpreted as undermining their dignity or a threat to their survival.

### *Relative Deprivation*

The concept of relative deprivation underscores the economic, geographic and organisational opportunities which motivate individuals to galvanise. A distinctive feature of relative deprivation is its focus on the importance of discontent triggered by denial of material needs. A point made by Kurer and others (2019) in relation to deprivation and discontent is essential here: perceived denial may be informed by comparing one's social condition to others who may be seen as favoured or more privileged. O'Connell and others (2019) argue that there is a strong link between contentious politics and inequality. It specifically underscores the rationale which motivates individuals to dissent, with such reasons either being psychological or economic. Under this theme, individuals may engage in contentious politics in light of unfulfilled expectation or material benefit. Asingo (2018) specifically avers that countries with high levels of socioeconomic inequality are bound to experience high volumes of social tensions as opposed to those with high religious or ethnic differences. Eventually, such discontent, antipathy or rage manifests itself in mobilisation. Put

starkly, communities with high levels of joblessness, poverty and insufficient access to land are bound to be plagued with increasing activism or citizen unrest (Storch, 1982). Likewise, temporal transformation in the allocation of resources, including positive discrimination or unequal access to land, income or retrenchment of staff may also be a source of aversion as people tend to compare their current conditions to a certain standard of others'. This brings to bear the early twentieth-century notion of materialism which espouses how society is fashioned by resources and competition over scarce resources (Richins, 2017). This nuance corresponds with Malthus' (1798) assertion that a society is more likely to experience social tension in an era where population growth outstrips food production. To Malthus, this imbalance may be exacerbated by crop failures, drought, political instability or climate change. Yet, despite the natural or man-made causes of disaster, states have an obligation to ensure that there is adequate food in the market, either through national production or import, and that citizens have the means to access them (Glennie and Alkon, 2018). Nonetheless, as the pre-industrial understanding of sustenance was replaced with concepts of civil rights in the post-World War II, so did activism metamorphose into workers' agitation for increased wages to access food in institutionalised food markets. In this context, one cannot overlook the many instances where relative deprivation has incited the middle class, rural/urban poor in Western Asia to counter poverty and increasing food prices. At the peak of the 2007/8 global financial crisis, workers' uprisings over low wages and the rising cost of basic commodities were recorded in the United Arab Emirates, Saudi Arabia, Syria and Bahrain (Saif, 2008). In a striking resemblance to a 1984 mass mobilisation which forestalled the nullification of food subsidies, the government of Ali Abdullah Saleh used its security force to disperse hundreds of Yemeni food protesters in June 2008 (Gros *et al.*, 2015). The harsher response ultimately led to several casualties and the death of a civilian. Also, unemployed youth in Jordan took to the streets in February 2008 to demand reduction of fuel prices which had soared by 76 per cent (Schneider, 2008: 48). An increase in oil directly impacts food access as agricultural products are transported from harbours or rural areas to urban centres. For this reason, the price of staple food increased by 30–50 per cent (Schneider, 2008: 48). Faced with similar economic woes, the working class downed their tools and joined the demonstrators, as their salaries could not match the harsh economic conditions.

### *Framing*

Another important notion in contentious food politics is framing (Ryan-Simkins, 2019). It provides the nexus between structural conditions and mobilisation of disgruntled individuals. Frames are a means of providing justification for citizens' discontent, creating collective identities for constituents and providing the basis for the successes or failures of a group action. Lynn and Williams (2018) observe that frames are key indicators in identifying social problems, which institution or individual has the mandate for addressing a particular problem and why people should mobilise against those in authority. The notion further underscores how actors at the grassroots level identify a social problem, its cause and possible remedies. Jointly, these elements are used to recruit participants for a common cause. In essence, it is the process of silencing opponents, appealing to authorities and mobilising adherents by incorporating some aspects of the actual reality into their agenda (Reed and Keech, 2019). Some of the issues which framers may invoke include urban poverty, hoarding, merchant stockpile, price inflation and unfair distribution. By way of illustration, Germany witnessed widespread dissent among women in the first quarter of 1942. Apart from declining living conditions, the women chanted slogans about the injustices of the rationing system and confiscation of supplies by Nazi forces (Taylor, 1996). With the support of their children, the women confronted administrators responsible for allocation who launched temporary soup kitchens with increased rations.

### *Politics of Provision*

The underlying argument of the politics of provision is that dearth threatens social cohesion. In other words, people are conscious of the state's responsibility to safeguard their sustenance and there is the need to enforce these entitlements. The basic assertion is that scarcity leads to profiteering and decline in real living standards. For instance, after experiencing long-term decline and a bad harvest in the latter part of 1916, Britain registered several dissensus in early 1917 as a response to the increasing prices of staples (Coles, 1978). Racketeering by middlemen and/or vendors in the local markets did little to ameliorate hikes in butter, wheat, bread, milk and potato prices. To contain the situation, women in West Cumberland hit Maryport pitch market to enforce the

new commodity-price ceiling set by the government. Following a shopkeeper's non-compliance, the housewives dumped carts of food supplies (Hunt, 2000). With the support of their husbands and organisations such as the Miners Association, these women's activities inspired similar collective acts across Europe and beyond.

### *Political Opportunity*

The concept of political opportunity emphasises the political landscape or the dynamics which determine the levels of success or otherwise of mobilisation (Koopmans, 1999). Such a political environment may be informed by two conditions: (i) what enhances grassroots mobilisation and (ii) what destabilises the state from containing activists. In terms of the former, people with common discontent are more likely to mobilise if they can overcome insufficient human/capital resources. As opined by rational-choice observers, the oppressed will respond to calls for galvanisation when they are able to solicit adequate logistical support for a common cause (McCarthy and Zald, 1977; Opp, 1989; Oberschall, 1994; Finkel and Muller, 1998). By extension, the success of a mass mobilisation may be influenced by organisers' access to donor funding, contributions from members and influential actors who may decide to fund the campaign, recruit more members or enhance the visibility of the activism through media outlets. In the context of the latter, conditions which make the state susceptible to mass mobilisation are government ineffectiveness and abuse of power. It is against this backdrop that Sen (2008) observed that mass mobilisation for food is widespread in undemocratic regimes as democratic regimes are more inclined to adopt proactive and adequate response to food shortages or hikes. Here, mass mobilisation emerges outside the periphery of formal political space by citizens who have been alienated from central political decisions. While they may not be completely disenfranchised, not having access to parliamentary floors or key avenues compels people to voice their frustration in unrestricted open spaces (Maxwell, 1999). This form of contentious politics is often staged in common public spaces and takes the form of demonstration, picketing, signing petitions, looting, stowaways, burning of tyres, processions, mass meetings and toyi-toying. As shown in Egypt, after enduring nearly three decades of dictatorial rule under Hosni Mubarak, the African country became an epicentre of food demonstration in 2008 (Bohstedt, 2016). As

the second-largest global importer of wheat, provision of subsidies for bread is an essential intervention for a disproportionate percentage of its poor population.<sup>1</sup> Yet, as the size of the subsidised loaf was cut in half by a spike in wheat price between 2007/8, hundreds of white-collar staff, industrial workers and the Muslim Brotherhood took to the streets in April 2008 to demand reduction in food prices and better wages. Following intense political and social pressure, the prime minister provided additional food subsidies and workers' bonuses (Salevurakis and Abdel-Haleim, 2008).

## **Structural Factors**

Structural factors imply those institutional measures which incite contentious food politics, including exploitation, neoliberalism and (under)development.

### *Exploitation*

Naturally, individuals are more disposed to mobilise when they notice that food vendors and middlemen are overcharging through price fixing or hoarding. The actual cause of this form of contestation is not grounded on insufficiency or lack of availability, but the resultant exploitation. To a great extent, high prices may be perceived as social injustice reaching its tipping point. This discontent was expressed by a small group of Spanish women who demanded government cut back on sharp inflation in staples after the 1918 Rif War (Kaplan, 1982). When their demand was denied by King Alfonso XIII, they raided boats loaded with fish, coal wagons and bakeries in Barcelona. The demonstration was called off after prices dropped by a third and shops restocked. The reform came about after three weeks of mass demonstration where the women challenged the monarch. Civil guards dispatched to quell the agitation were whipped, stripped and chased away by demonstrators. Another important collective action was Jewish housewives who shut down New York City's (NYC) food markets in February 1917 (Frank, 1985). Starting with a two-week boycott of vegetable, chicken and fish consumption, the women took their

<sup>1</sup> It is estimated that about 80 million (almost 50 per cent) of Egyptians live on less than a dollar per day.

demonstration to the grocery stores, forcing their neighbours to refrain from purchasing commodities and closed shops known to be involved in profiteering (Hyman, 1980). Sixteen years later, this phenomenon resurfaced in Toronto where housewives launched consumer boycotts against sharp increases in the price of kosher meat. After two weeks of picketing, the butchers succumbed to demands and reduced their prices.

### *Neoliberalism*

The adoption and operationalisation of neoliberal agendas has triggered extreme economic hardships in the Global South. As discussed in Chapter 6, implementation of the World Trade Organization's Agreement on Agriculture has displaced millions of local farmers and urban street vendors. By opening their markets to global supermarkets and the fast food industry, the agreement has pushed small peasant farmers out as imported goods continue to flood local markets (Leitch, 2003). Reliance on food import has arguably rendered wage earners susceptible to commodity hikes, as soaring prices impact heavily on their cash outlays. For illustrative purposes, after a decade of political stability, Senegalese people took to the streets in March 2008 as rising prices in cooking oil, rice and yellow maize pitted the populace against their government. With the support of civil society organisations, the populace brandished empty cans and wheat and rice bags, as an illustration of their food insecurity. With public/civil servants joining the protest, President Wade responded to their demand by launching the Grand Agricultural Offensive for Food and Abundance programme in April 2008 to boost rural development and food production (Berazneva and Lee, 2013). Akin to its West African counterpart, Burkina Faso was rocked by civil disorder as youth targeted security forces, state-owned shops and buildings to oppose high customs duty on food commodities. Even though some demonstrators were convicted, the state cut back on its tax collection from small traders, and established an emergency subsidy for farming equipment, seeds and fertilisers for small-scale producers.

### *(Under)development*

This factor is tied to the setbacks of neoliberalism. In this context, food activism is widespread in regimes where governments lack the financial

capacity to subsidise food prices (Gordon and Hunt, 2019; Schneider *et al.*, 2019). In such regimes, the middle class who have been alienated from political decisions see racketeering as a window of opportunity to capture political power. Mildly put, the ambitious working class perceives insufficient wages, unstable food prices and high cost of living as a pretext to pursue their long-awaited political careers. By way of illustration, when Haiti's wheat and rice soared by 83 per cent in the first three months of 2008, the middle class looted trucks of grain in Les Cayes and forced the removal of Prime Minister Jacques-Édouard Alexis for failing to adopt emergency plans to reduce soaring prices (Aljazeera, 2008; BBC, 2008). To contain the unrest, President René Prével announced a reduction in the price per 23 kg of rice from \$51 to \$43. In the Global South, Mauritania was not spared the wrath of the populace when they galvanised in November 2007 against spiralling bread prices. Despite staging a ten-day protest, the price of maize skyrocketed by 60 per cent, with sorghum and millet doubling in price by the following month (Sneyd, 2013). After several failed attempts to contain the upsurge (including arrest of leading protest members), the state introduced string of interventions to mitigate the situation. Apart from an increase in public sector pay, it increased subsidies to large state enterprises (gas, electricity and water), provided tax exemptions for imported rice and price controls and emergency food supplies to vulnerable people. Still, perceiving these interventions as inadequate, the armed forces took over power in August 2008.

## Reflections on Food Activism

Do the aforementioned case studies provide any lessons for future food activism? The cases demonstrate that mass mobilisation for food is an outcome of food insecurity – not to mention social injustice. This strategy is important as simple hunger, recall, is generally welcomed by the elite until the affected threaten to hit the streets, or do so, and that is when reform occurs. It is important to underscore that, by its very nature, dissent is not illegitimate as it provides a platform for the lower classes that continue to remain on the fringes of decision-making forums. From the catalogue of cases discussed, the expression of discontent transcended foot-dragging, infrapolitics and whispering, to citizens pouring into public spaces to voice out dissent. Three golden threads run through the cases:



**Consciousness:** The cases have shown that poverty itself is not a direct trigger of mobilisation, even though it results in food insecurity. It is often argued that urban residents are better supplied with resources than rural folk. If this observation holds true, then most of the contestations under discussion should have been in rural areas, but they were not. With virtually all protest playing out in urban centres, it somewhat provides an indication that food activism is not so much about poverty as one's awareness of a breach of entitlement and the need to reclaim such right. One may also argue that the notion of submissiveness entrenched in rural communities will curtail any attempt to galvanise against their respective elites.

**Gendered approach:** In many ways, the actions of change agents were spurred by shared experiences of community networks, particularly based on gender. In most cases, women formed the rank and file of activism. Three reasons account for this. *First*, the use of unconventional strategies was useful for women as they were alienated from conventional political institutions, such as parliaments and trade unions. In stark contrast to their female compatriots, men had little use for the streets as they could press their demands in the legislative assemblies through their unions or representatives. In retrospect, not all females were disenfranchised. As far back as 1915, some enjoyed the right to join political associations, with the right to vote.<sup>2</sup> Despite this leverage, they still remained at the fringes of traditional institutions as their domestic matters received little attention during policy considerations. With their influence in formal channels curtailed, the next available arena was the informal space, which they actively explored. Suffice to note that the natural assemblage had an added advantage: a fertile ground for mass mobilisation. By serving as the epicentre of economic activities, the local market, shops and spaces of distribution served as prime locations for the women to trade, gossip and interact with kinsmen. *Second*, the cause of dissent was generally seen as an outside threat to the household, an institution jealously guarded by mothers and housewives. Their maternal obligations provided the *raison d'être*, which was somewhat difficult to label as illegitimate (Hunt, 2010). Against this backdrop, it was not out of the ordinary

<sup>2</sup> Arguably, women's voting right was first entrenched in Canada in 1915, followed by America's 19th Amendment to the Constitution in 1920, with different degrees of recognition at the subnational level.

for women to be up in arms when their duty of providing for their husbands and children was challenged by commercial farmers or shopkeepers. Instead of disjointed community members, crowds were drawn from (pre)existing horizontal networks which made spontaneous mobilisation feasible. In some instances, the women reined in elites to support their cause by relying on the spirit of shared solidarity. As demonstrated in West Cumberland and Haiti, the government responded to their grievances by setting prices on essential goods. *Third*, reason may be tied to society's division of labour along gender lines. Over the last four centuries, the primary obligations of men were provisioning of income, while women held the fort at home. Consequently, when prices of commodities increased, it was not so much a male issue, but a female one (Bohstedt, 1988). The involvement of men only occurred in cases where trade unions or political actors lent solidarity. Nonetheless, a reader could easily shoot down this argument as not all male participants belonged to a political organisation or trade union. To some men, involvement was informed by their diminishing economic and social status compared to the experiences of their female counterparts.

*Apolitical nature:* The involvement of men and political actors became apparent from the 20th century onwards as demands were shifted from local markets to much higher up, the national government. As demonstrated in Egypt, Mauritania and Haiti, pressing for demands beyond one's comfort zone or local market necessitates stronger coalition with formal institutions, particularly organised labour or opposition political organisations. Yet, even with the participation of political actors, demonstrators continued to safeguard their non-partisan agenda. Whereas, the inclusion of third parties marked an important shift in their penetration into formal political spheres, activists continue to be the main agitators, as organised labour merely served as mediators. By focusing on narrower, pragmatic objectives of hunger, activists merely drew inspiration from the strategies of political organisations without swaying into broader politicised agendas. As illustrated in Egypt, while protestors may have relied on some of the strategies of the Muslim Brotherhood, they still kept their objective intact. To underscore their apartisanship, they identified themselves as doctors, lawyers, students and factory workers with one primary objective: 'reduce the price of staples such as sugar, milk and bread' (Zimmerman, 2011). In that sense, one could conclude that they were

not drawn into the streets by their belief in a revolutionary political theory, but instead deep-seated and widespread discontent with inflation.

## Conclusion

Due to the spread of COVID-19 and possible retrenchments, occurrence of food activism is expected to be frequent in the coming years as net food purchasers may embark on anti-government demonstrations calling for subsidised or lowered food prices. Even though food activists in historic and contemporary times bear the brunt of arrests, injuries and deaths, they remain resolute in their efforts until certain concessions are made by butchers, farmers, shopkeepers and the state. Although the slogans, strategies and support of political organisations are sometimes co-opted, the activists do not necessarily demonstrate any political interest or inclination. The festering ground of mass mobilisations is mainly in (semi)urban centres where the population depends on market supplies. With their alienation from formal political channels, food activists mobilise in places of natural assemblage. In times of inflation or dearth, activists use pre-existing horizontal networks which shape the nature of their activities, attract third-party actors and obtain expected concessions. To forestall an upsurge of discontent, an adjustment in wages may seem timely. Those not listed on payrolls may be placated by the state through (i) food parcels; (ii) financial transfers to desperate households; (iii) extra subsidies to affected food stocks; (iv) imposed price controls on staples; and (v) investment in seeds, irrigation systems or fertilisers for small-scale farmers. In the end, failure to adopt any of these measures might be seen as a recipe for discontent.

So, under what conditions do citizens resort to food activism? The lesson here is that two overarching factors enable or disable food activism. First, social consciousness of five key concepts: moral economy, relative deprivation, framing, politics of provision and political opportunity. And second, existence of three structural or institutional determinants: exploitation, neoliberalism and underdevelopment. A logical conclusion is that complete denial of certain rights or entitlements is what causes people to demonstrate discontent and not a relative absence of such entitlement. Yet, given that the factors were extracted from a myriad of cases, perhaps it will be useful to consider

how they played out in one particular movement. The organisation which comes to mind is India's Right to Food Campaign. On that account, the [next chapter](#) turns its attention to this campaign and assesses its contesting multiple spaces and what lessons could be drawn to shape a future food security movement in South Africa.

# 3 | *The Case of Right to Food Campaign*

## Introduction

South Africa is food secure, but its citizens are not. Whereas its total volume of agricultural production and gross domestic product (GDP) has soared steadily in recent times, the figure of the chronically hungry remains alarmingly high (StatsSA 2020a).<sup>1</sup> To be exact, while the country is among the top ten most food-secure countries in Africa, millions have insufficient access to food (StatsSA 2020b). This paradox is even more worrying when the country is measured against others often seen in their respective regions as economic giants. For a case in point, in contrast with other BRICS countries, such as Russia, Brazil and China ranking 52, 84 and 85, respectively, on the 2018 *Human Development Index*, South Africa ranked 114 (UNDP 2020: 241–2). This implies that human progress in areas of food security, health, education and income has been slow as compared to its peers.

Food security or access to food is an essential element of human survival and development, and when not met, negatively impacts the dignity, health and ultimately the life of the victim. The state, thus, has a moral and legal obligation to adopt all necessarily measures to ensure that its citizens are fed. Nevertheless, despite being enshrined under section 27 of the 1996 Constitution, doubts remain within the civil society organisation (CSOs) and legal community regarding the enforceability of the right to food (RTF) at the national or provincial level. This trend, along with the factors identified in the [previous chapter](#), arguably explains why for over two decades there has been minimal social mobilisation around food even though chronic hunger

<sup>1</sup> Despite the ramifications of the COVID-19 pandemic, the country's agricultural sector and GDP grew by an estimated 11.3 per cent and 13.5 per cent, respectively, in the third quarter of 2020.

prevails. The irony is all the more striking as the deprivation of basic needs due to the operationalisation of neoliberal policies often inspire (sub)national mobilisation at the village, municipal, provincial and national levels. Yet, despite widespread hunger motivated by the triple ills of high food prices, unemployment and low smallholder output, South Africa has rarely witnessed any form of dissent calling for distribution of food or inclusion of the food insecure into social assistance interventions.

In stark contrast, Indians have refused to take hunger and malnutrition quietly. The urban food insecure have partnered with a CSO called the Right to Food Campaign (RFC) to press for better food access (Srinivasan and Narayanan, 2007). The mantra of this organisation, which is alleviating food insecurity, has resonated with millions of rural people entangled in this catch-22 situation. The RFC, and India in general, are ideal case studies for four reasons: as in to South Africa, India is (i) an adherent of neoliberalism, (ii) an activist court with the history of promoting basic rights and (iii) a key player in the international agricultural export; and (iv) the RFC has been a vibrant movement advocating for different forms of rights. Yet, while the RFC's activities were wholly successful in developing and improving food accessibility, it confronted some barriers along the way. In this vein, the chapter seeks to survey the processes which underpin citizens' struggles towards holding states accountable. The chapter will map out the various activities across the three primarily arenas of dissensus: the streets, parliament and courts. This observation is aimed at distilling the prospects, challenges and steps to be taken to circumvent possible limitations which may arise in pursuit of food justice. The template of the RFC is advocated here in anticipation that proponents of food security, and human rights activists more generally, will take inspiration for comparative purposes in other regimes, even though mobilisation in such states may differ.

## **Evolution of the RFC**

India has attained self-sufficiency in grain production and steady economic growth but poverty remains. This irony could be linked to the orchestration of neoliberal hegemony affirmed in the 1991 New Economic Policy by then finance minister Manmohan Singh (1993). As discussed in [Chapter 6](#), the central dogma of this economic model is

liberalisation of economic policies, imposition of austerity measures, cutting of subsidies on welfare, and reducing work force in public sector. Thus, while the GDP expanded by 6.81 per cent in 2019, approximately 21 per cent of the population live on less than USD 1.90 a day (WFP, 2019). According to the 2018 *Global Hunger Index*, the country houses a quarter of the world's undernourished population, ranking 103 out of 119 countries on the index (GHI, 2019). The food insecure are, for these reasons, a classic illustration of the dictum, 'hunger amid plenty' (World Bank, 2019). It is within this context that grassroots and left-party activists have, over the years, used mobilisation as a tool for improving food access (Besley and Burgess, 2002; Jenkins, 2007). One vibrant movement within this domain is the RFC.

The formation of RFC was arguably inspired by earlier mobilisations and public-interest litigation (PIL) dating back to the 1980s (Deo, 2007; Pillay, 2014). Within this era, action-oriented lawyers and human rights advocates relied on the country's lower and upper courts to combat corruption, and advance basic rights stretching from land access, information and employment, to housing and food security (Birchfield and Corsi, 2009). As the conventional practice, any third party, interested organisation or concerned individual seeking to safeguard public interest may submit a petition to magistrate courts, the High Court and ultimately the Supreme Court (Mahabal, 2004).

On the question of food security, the first PIL was launched in 1981 (Singh 2010). Dubbed *Francis Coralie Mullin v the Administrator of the Union Territory of Delhi and Others*, the Supreme Court in this case held that the right to life and dignity are inextricably linked to nutrition (Jenkins, 2007). This was followed by the 1996 *Chameli Singh v State of Uttar Pradesh*, where the court called for effective regulation of the public distribution system (PDS). This programme is responsible for the distribution of major commodities such as sugar, rice, wheat and basic fuels like kerosene through a network of fair price shops (Chakrabarti *et al.*, 2018; Chakraborty and Sarmah, 2019). Within the umbrella of the PDS are two schemes: the Integrated Child Development Services (ICDS) and mid-day meal (MDM). The former, on the one hand, is tailored towards tackling mother and child malnutrition by providing pregnant mothers and children under the age of six with nutritional supplements and grains (George and McKay, 2019; Chhotray *et al.*, 2020). The MDM, on the other hand, aims at improving school attendance by providing pupils with nutritious, cooked and

hot meals (Khera, 2008). Needless to say, this national initiative was inspired by similar intervention in Tamil Nadu and Gujarat in the 1950s and 1980s respectively (Mooij, 1998; Gaiha, 2003). However, six years down the line, activists, economists and intellectuals realised a considerable incoherence in the operationalisation of the programme in terms of both quality and quantity of what is provided (Kumar *et al.*, 2016; Narayanan, 2017). Some schools dished out unhealthy diets, others gave monthly dry grains, and yet others did not provide any form of assistance (Grover and Chopra, 2017; Landy, 2017). Suffice to say, this discrepancy informed the formation of the RFC and its resultant unconventional strategies.

Composed of individuals and led by the People's Union of Civil Liberties (PUCL), a non-governmental organisation (NGO), the RFC emerged in April 2001 as a vehicle for advocating adequate food supply for school children, and ultimately the Indian population (Dreze and Goyal, 2008; Pradhan and Rao, 2018). The campaign may be defined as a voluntary association or decentralised network of activists with the objective of ensuring food security for every household. With steering committee members (SCMs) drawn from human rights groups, marginalised communities, law networks, farmer's union, trade unions and women's organisations, the RFC relies on *conventional*, *unconventional* and *progressive* contestation to coerce the state to fulfil its socio-legal obligations (Gready, 2008; Narayanan, 2017). Since these three forms of contestations will surface several times in this chapter, a brief definition of each will be helpful.

Even though the various forms of contestation seem contradictory, they seek to achieve one common purpose: to stimulate reform. On the one hand, conventional contestation may be tied to instances where citizens resort to newly created or established institutions as a medium of demonstrating their discontent. In this sense, they conform to the rules, norms and practices of emerging or existing decision-making processes by interacting with political elites and managerial and technical staff in order to bring about change. This form of influencing social policy may also be called 'infrapolitics' or 'infrapolitical activism' as activists rely on covert or behind-the-scenes means of influencing policy (O'Brien *et al.*, 2018): One strategy is litigation. Unconventional contestation, on the other hand, includes overt actions or what one sees that directly confronts existing power holders, namely



political authorities and actors. Mainly through group action and direct protests, actors within this arena formulate grievances which are targeted at changing or modifying prevailing economic and political structures such as institutions, rules, regulations and norms. This action often begins with advocacy, drafting, signing petitions, sit-ins, burning of tyres and chanting slogans to highlight the disengagement of the state from the plight of the famished. Finally, progressive contestation seeks to kindle and sustain long-term reform through political activism. Players in this arena seek to influence the concepts, drafting and debates around the adoption or amendment of a particular policy by using the 'carrot and stick' approach or reward and punishment to stimulate a desired action or new forms of socioeconomic relations. This technique is preferred by activists as it enables them to lobby power holders, strengthen their political and personal agency and, where these avenues fail, resort to open letters as a means of questioning particular government conduct.

To strengthen its position as enforcer of the RTF, the RFC has, over the last decade, combined these three forms of contestation and applied each where necessary. It has, variously, resorted to the activist and/or progressive position of the Supreme Court, lobbied parliamentarians and taken to the streets (Krishnan and Subramaniam, 2014). The multi-prong approach provides an opportunity for political action, particularly as contestation triggers citizen–government engagement when election is imminent. Accordingly, like its forebears, the movement has relied on dissent as a tool for confronting powerful state institutions around food. Yet, in stark contrast to its predecessors, the demands of the RFC transcend mere distribution of food and reach to key areas of land rights, employment creation and welfare of pregnant women. It was in this light that the movement launched its first legal action in 2001, calling for a distribution of government grain stocks to families reeling from the severe drought. The suit was submitted at a time when the state's storage has exceeded its capacity with mounds of grain left out in the open. In light of the groundbreaking role of the case in food security trajectory, the discussion which follows will survey the arguments advanced, the ruling of the court and its aftermath. For clarity, the analysis will be grouped under the three forms of contestations used by the RFC.

## Conventional Contestations: Reframing Reality in the Courtroom

Filed as *People's Union of Civil Liberties (PUCL) v Union of India and Others*, the applicants in this case, RFC called for interim orders regarding the immediate distribution of grains overflowing in government warehouses to forestall deaths by hunger. The petition listed all state governments as respondents for violation of their citizen's RTF, even though it initially targeted six subnational governments for drought relief (Drèze and Sen, 2013). The RFC's goal for submitting this petition was to create a binding legal nexus between the right to life and food, specifically as the former is rigidly guaranteed under the Constitution and the latter falls under the rubric of directive principles of state policy (DPSP). Taking into consideration that the DPSP reduces any form of right to non-justiciable or unenforceable, Colin Gonsalvez, the leading protagonist, tied the RTF to an entrenched right – the right to life – and argued that one cannot be attained without the other (Srinivasan and Narayanan, 2007). In opposing the petitioners, the state argued that there are eight food programmes in operation that are capable of addressing the looming hunger crises. This was countered by the plaintiffs who argued that despite the large-scale starvation across several states, the government was unwilling to distribute its buffer stocks meant for alleviating emergencies, of which the present drought was one (Kumar *et al.*, 2016; Narayanan, 2017). To drum home their message, the applicants argued that at the time of the litigation in July 2001, government stocks exceeded 61.7 million tonnes of wheat and rice, while the established norm for buffer stocks was a maximum of 24.3 million tonnes (Srinivasan and Narayanan, 2007: 2). Meanwhile, hundreds of villagers in Rajasthan were starving while grain was rotting just few kilometres away. Grounding their arguments on the overarching legal protection for socioeconomic rights, the RFC averred that relevant state agencies were unwilling to discharge their obligation to ensure the survival of disadvantaged families.

Taking into consideration that, unlike in the South African Constitution, the RTF is not explicitly guaranteed in the Indian Constitution, the plaintiffs creatively relied on judicial precedence where the Supreme Court interpreted the right to life as encompassing the RTF and nutrition. The extensive nature of the (counter) arguments prolonged the case with the Court finally handing down its verdict on

28 November 2001 (Narayanan, 2017). It upheld the claim of the applicants by arguing that the state could not claim to be saddled with insufficient resources considering its 'food mountains' (Narayanan, 2017). It is important to highlight that a rights perspective to food shifts popular views of welfare benefits as a gift from the state into an entitlement. The ruling, accordingly, converted all government food schemes into legal entitlements and obliged the state to fully translate these interventions from policy into practice.

The Supreme Court's decision was important for two reasons. First, it served as a rallying point for action-oriented scholars, legal advocates and activists to propel their agenda for food justice and hold (sub) national institutions accountable. Second, it gave detailed description of each child and the quality and quantity of food to be provided by the MDM or ICDS. Consequently, in satisfying the long-term dreams of veteran activist, m Srivastava, the interim order universalised these food schemes and converted them into legal entitlement for all children under the age of six, all pupils in a state run or funded schools and every eligible mother (Drèze, 2006). Following the judgement, Drèze (2006: 3708), reiterated that human rights approach to hunger was an important avenue for victims of food insecurity to seek redress, and for (sub) national NGOs to monitor the operationalisation of welfare schemes.

While local activists were mobilising to ensure compliance of this order, RFC SCMs once again approached the Supreme Court to halt attempts towards privatisation of the MDM and ICDS (Drèze and Sen, 2013). This bid was necessary as the prospect of such denationalisation would have been counterproductive to the objectives of the programme. Suffice to say, privatisation of existing welfare programmes often results in abysmal failure to deliver the same high standards, reliability and productivity previously provided by the state, as private owners would take a cut in profits leading to poor service delivery. In augmenting its argument, the RFC gathered and submitted information to the Court on the ongoing lobbying of chief ministers and parliamentarians by the Biscuit Manufacturers' Association (BMA) to substitute biscuit packages (Pillay, 2014) for hot meals. The timely intervention of the RFC in this instance not only forestalled job losses and wage cuts of local women responsible for food preparation, but secured school children's access to nutritious food (Srinivasan and Narayanan, 2007).

Beyond the MDM, the operationalisation of the ICDS also suffered loopholes. Challenges have been observed on four fronts: (i) inactive

ICDS centres as a result of their invisibility; (ii) low turnout at centres due to lack of awareness about food entitlement; (iii) untimely closure of centres; and (iv) scarcity of grains for distribution. These setbacks have been compounded by some workers siphoning and selling some of the grains in the open market and at higher rates. Following the RFC's application to the Supreme Court alleging these problems, the Court issued a plethora of interim orders obliging the state to ensure that the grains distributed through the PDS reached all targeted families falling below the national poverty line (NPL) (Hertel, 2016). Those falling within this category are rural dwellers earning not more than ₹816 (approx. \$11.34) per capita per month and urban settlers whose wage does not exceed ₹1,000 (approx. \$13.90) per capita per month (Sangeetha and Chitra, 2020: 815).

The Court has successively integrated the RTF into its jurisprudence through a string of interim orders. In interim orders dated 8 May 2002 and 2 May 2003, N. C. Saxena and S. R. Sankaran were appointed as commissioners by the Court to oversee the operationalisation of all orders relating to the *PUCI* case (Dreze, 2006). Mindful of the fact that India has seven union territories and twenty-nine states, the order listed several (non)state actors responsible for providing the Commissioners' Office (CO) with up-to-date data on the successes or failures of food intervention. To this end, three different kinds of surveys have been used to map or enquire about any violations of this order. First are the CO's periodic surveys of MDM in schools and grain distribution at ICDS centres, with the full authority of the Court. Second, renowned economist Jean Dreze (2006) and other RFC affiliates Sudha Narayanan, Dipa Sinha and Reetika Khera seasonally conduct independent empirical surveys as a means of tracking policy operationalisation and its (in)effectiveness. Their findings are shared with the CO and RFC SCMs to demand redress. Suffice to say that the works of these economists have been instrumental in the advocacy and litigation for quality and nutritious MDM for pupils. Third is what is otherwise referred to as 'social audit', conducted by a local well-being group (WBG) or community volunteers allied to the RFC (Khera, 2008).

To enable the WBG to discharge their duties effectively, RFC SCMs provides them with some form of child-nutrition training that enables the group to collate nutritional data in the village by physically weighing infants. Through this exercise, the volunteers perform two key functions: (i) conduct independent audits of the

ICDS; and (ii) disseminate information to (pregnant) mothers about their grain supplies at ICDS centres. Armed with this information, community members can then monitor the operationalisation of these schemes and the nutritional condition of infants and pregnant mothers. In cases where the food needs of the target group are unmet, the WBG uses five collaborative and confrontational strategies to address this. Apart from presenting their findings on nutritional data during public hearings, they engage in naming and shaming of corrupt public officials during these hearings, invite ICDS officials to educate the public on their operational hours, submit petitions to ICDS workers and, where all these avenues fail, present their grievances to the CO.

It goes without saying that the RFC's public hearings attract eminent public figures, including Amartya Sen, who use their celebrity status to throw some weight behind the campaign's criticism of ineffective state welfare programmes and resultant mass starvation. Accordingly, some observers conclude that, in stark contrast to other welfare or rural development programmes, the MDM has not witnessed prevalent corruption and siphoning of food grains mainly as result of the meticulous scrutiny or social audit provided by the RFC and its affiliates (Samson *et al.*, 2008).

Given that most contemporary scholarship on the RFC centres on the enforcement of the RTF through litigation, the [next section](#) departs from these analyses by assessing how the organisation transcended the challenge of converting rights on paper (*de jure*) to actual rights on the ground (*de facto*). It, thus, breathes fresh air into the scholarship on the RFC by providing a detail account of the strategies used in parliament and on the streets, which resulted in the adoption of the National Food Security Act (NFSA).

### Unconventional Contestations: Taking to the Streets

India is known as the soil of activism. With rich history of civil disobedience, the contemporary generation is known for its high levels of unconventional contestation in demanding a range of political and socioeconomic reforms (Singh, 1991). At the time of writing in October 2019, Punjab farmers were burning paddy stubble to protest the state's failure to comply with the National Green Tribunal's directive of assisting farmers with ₹200 per quintal (Sehgal, 2019). It is in this light that Singh (1991: 448) explains that the unabated orgy of dissents,

urban tensions and peasant revolts were often triggered by unfulfilled expectations of the people as a result of the prevalent corruption and selfish interests of the ruling elite.

In its attempt to ensure practical realisation of food security, the RFC did not depart from this long-standing tradition of enforcing state accountability beyond the courts. As an exemplar, to demonstrate popular support for the organisation's agenda, NGOs and advocates associated with the RFC often launched mass protests during court hearings. This unconventional contestation has been identified as a useful weapon in swaying court decisions towards victims of hunger. In this arena, protesters are often garnered through social media, Facebook, WhatsApp, Twitter and the organisation's thriving website, which features past and forthcoming contestations, points of assembly, and reason for the gathering. Given that most peasants are oblivious of their food entitlement, the organisation's first advocacy act was the framing and distribution of leaflets containing detailed information on villagers' eligibility to flagship food schemes, location and operating hours of ICDS centres, as well as the quantity of grains or kerosene each is entitled to. To meet the needs of peasants without formal education, the handbills are written in simple local languages with pictures for clarity. Besides setting out the court's interim orders, printed materials usually list the steps to be followed for remedies in instances where an eligible applicant is denied any of the listed welfare benefits.

One interesting unconventional contestation worth citing is the aftermath of the first interim order issued by the Supreme Court in response to the *PUCL v Union of India*. The post-litigation development provided an indication that issuing injunctions is one thing, but compliance is another. In this circumstance, the Court set February 2002 and June 2002 as the respective dates for the partial and full operationalisation of its order. Yet, by the time these deadlines elapsed, some states failed to provide cooked MDM for pupils, and others only weakly complied. It is a fair observation to add that not all states were in violation of this directive: while Karnataka, Chhattisgarh and Andhra Pradesh complied, Kerala and Tamil Nadu exceeded the directive by extending assistance to the aged and destitute (Jayaraman and Simroth, 2015).

In response to the non-complying states, RFC SCMs, backed by local villagers and other NGOs staged a mass protest across nine states and 100 districts on 9 April 2002. Titled an 'Action Day on MDM', the

protesters condemned the state for its indifference to the plight of malnourished children and demanded enforcement of the order. The striking aspect of this public action was the shaming of the government through queues of pupils with empty plates on the streets. In reaction to the naming and shaming, the government reviewed its MDM Guidelines and mandated state-level administration, specifically those in drought-affected regions, to serve MDM even during school holidays (Khera, 2008). The new guidelines were followed in about twenty-one states, albeit with deficits in coverage, delivery and quality in some states (Cohen and Brown, 2005).

### Progressive Contestations: Democratic Politics in Parliament

By 2009, the Supreme Court's codification of the RTF as a legal entitlement propelled the RFC to commence a process of advocating for overarching food security legislation. Otherwise stated, the movement saw parliament as a transmission belt for translating popular demands into policy reform. Given that there was already a national food security bill (NFSB) being deliberated in parliament at this point, the organisation's focus was centred on influencing the content of the instrument. It needs to be stated that the framing of the bill could be traced back to the Common Minimum Programme (CMP) adopted by Congress in 2004, under the leadership of the United Progressive Alliance (UPA). Six key principles of the programme are (i) promoting the welfare of smallholders; (ii) enhanced social harmony; (iii) employment creation; (iv) women empowerment; (v) fostering entrepreneurship; and (vi) rooting out corruption (Banik, 2010). To realise these aspirations, the CMP called for the establishment of an oversight body, the National Advisory Council (NAC), to be composed of bureaucrats, policymakers and seven members of the RFC who will be responsible for drafting the NFSB.

The NAC was an extra-constitutional organ with the mandate of advising the state on key political and socioeconomic issues. From this standpoint, influential members of the RFC were well positioned to influence the framing of the NFSB as well as its contents. To some food security advocates, the inclusion of the RFC members in the NAC was a means of patronising the organisation or making it comply with the whims and caprices of the incumbent regime (Drèze, 2004). Yet, the organisation took an entrenched position and saw their membership in

the council as a platform to propel its agenda of concretising its gains in a binding legal framework.

In that regard, the demands tabled by the RFC within the NAC come under four headings: (i) food allocation in kind and not in cash; (ii) adequate provision of food grains to meet basic needs; (iii) provision of variety of food; and (iv) universal coverage of food programmes. Other sub-demands included an end to corporatisation of food produce, prohibition of food export, affirmative action for marginalised communities, universalisation of ICDS centres and provision spelling out the exact amount of monthly food grains to be subsidised. It substantiated its call for universalisation on four main grounds. First, it argued that grains provided under current programmes for children and pregnant women were woefully inadequate in meeting their nutritional needs. Second and on a practical level, it noted that the use of below poverty line (BPL) and above poverty line (APL) as thresholds for eligibility to national welfare programmes reinforce the normative demonisation of the poor's (over)dependency on the state (Dreze, 2006). Third, the use of BPL and APL benchmark is not only vulnerable to corruption and manipulation but lacks uniform application across states. For this reason, a universal approach was preferred in terms of coverage, efficiency and fairness. For instance, while Himachal Pradesh, Andhra Pradesh and Chhattisgarh were in the process of embracing universal coverage, Tamil Nadu has already done that (Jenkins, 2007). Finally, it argued that food is a universal right and there is the likelihood that every human being may at some point in their lives be exposed to hardship and resultant food insecurity (Hertel, 2015).

It is, however, important to add that the organisation's change of gear from (un)conventional to progressive contestation did not occur without strife. Key among these was the internal tension or infighting among the leadership: one faction preferred channelling resources towards litigation, the second opted for advocacy and protest and the third favoured the new approach of lobbying policymakers. Ultimately, a consensus was reached to combine all three strategies simultaneously.

Yet, by 2010, the seven RFC members on the NAC distanced themselves from the NFSB after it became apparent that the final draft did not wholly capture their initial four demands. In this vein, the organisation's SCM in 2012 intensified their efforts lobbying members of parliament (MPs) along with open letters addressed to the Prime



Minister (PM) registering their discontent. These tactics ultimately yielded the expected results when the state finally translated the NFSB into a National Food Security Act (NFSA) in 2013.

Radical provisions of the Act include [section 3](#), which converts food security into a legal entitlement, and uniform entitlement of monthly 5 kg of grains per person. Also, whereas [section 4](#) guarantees nutritional support for women and children, [section 8](#) entitles targeted households to food allowance in situations where they are not provided with the required amount of meals or grains. Sections 15, 16 and 33 further set out redress mechanisms and penalties against non-complying public servants. Overall then, the entrenchment of these key provisions may be said to be linked to the efforts of the RFC which incited political will of the leadership of the UPA and policy-makers to ensure food security.

In retrospect, one could argue that the resultant 2013 NFSA somewhat captures the four demands of the RFC which were initially excluded from the NFSB. First, [section 4](#) provides for free meals for pregnant women and for six months after childbirth. As a means of responding to the nutritional needs of women, this initiative is augmented with ₹6,000 (USD 84) monthly maternity allowance for six months.<sup>2</sup> The universalisation of maternity benefits is a key achievement for the RFC, which has sought to integrate gender perspectives into food security debates. Second, [section 13](#) recognises eldest women as the head of every eligible family for the purposes of issuing ration cards. This provision underscores the RFC's demand for empowerment of women and the gender dimension of food insecurity. The NFSA, in this way, seeks to overcome gender inequalities in families in terms of food and welfare distribution. Third, the NFSA further provides for food entitlements to 50 per cent and 75 per cent of urban and rural populations, respectively. This is in response to the RFC's initial demand of universal PDS, which even it though failed to make the universal cut, somewhat eliminates the state's targeted approach or identification of households below the NPL and its resultant corrupt practices. Given that the new approach does not distinguish households on the basis of poverty, rural populations are covered under

<sup>2</sup> Rupee (₹) is the official Indian currency, the Indian Rupee. Conversions in this book relies on the official exchange rate of 1 October 2019, of 1 ₹ = US\$ 0.014.

a near-universal scheme in which families are entitled to receive grains from the ICDS centres free of cost (Varadharajan *et al.*, 2014).

Yet, as the final Act fell short of the cardinal demands of the RFC, namely absolute universalisation, the movement has continued to remain critical of the legislation's operationalisation up till this day. Some of the criticisms advanced by the movement bemoan that the Act does not specifically link the role of state to food, but rather to nutrition. Particularly, akin to the wording of many Constitutions, the Act adopts the phrase 'progressive realisation' as the means to realising its aspirations.<sup>3</sup> Moreover, it fails to explicitly set out the inextricable relationship between food and other rights such as the right to social assistance for the vulnerable, girl-child education, healthcare service, water and sanitation. The inclusion of this interdependence is imperative, as many people have been plunged into hunger and deprivation of livelihood due to evictions from forests, with insufficient access to water, land and other natural resources.

Further contradictions hinted at by the campaign are evident in terms of the Act's operationalisation. First, the Act lists (sub)national mechanisms for purposes of seeking redress. The RFC, however, argues that even though this provision was novel in many contexts, it neither sets out how these proposed mechanisms intersect with existing human rights institutions, or how they will be funded or composed (Chhotray *et al.*, 2020). Second, whereas the Act obliges state administration to ensure the implementation of its provisions, it fails to set out which institution should assume this responsibility in situation where state-level governments have insufficient resources or local parliament fails to approve relevant budgets (Chakraborty and Sarmah, 2019). Third, the NFSA entrenched cash transfers for pregnant women even though the RFC highly opposed this and recommended in-kind transfers. Leading up to the drafting of the NFSB, members of the WBG embarked on grassroots survey and found that people may be plunged into hunger as cash transfers might either get pilfered in the transfer process or misallocated at the household level. The fourth shortfall of the Act relates to the low uptake of grains allocated to households (Narayanan, 2017). Whereas the RFC re-echoed the recommendations of the Indian Medical Council for 50 kg of food grain per household of five, the NFSA slashed this figure down to half. In this light, while the

<sup>3</sup> See sections 12 and 31.

Act may cover about 75 per cent of Indians, the actual quantity of grains falls short of meeting the standard caloric intake required per household and/or per person. Finally, the operationalisation of the Act has resulted in the failure to provide food desired in most local communities. For instance, there is little or no provision of millet as it is more costly than other grains such as rice and wheat. This criticism may be traced to the NFSA's exclusion of provisions relating to provision of food based on nutritional and cultural appropriateness, in place of food that are economically appealing to the state's purse.

Despite the drawbacks, a considerable number of states including Chhattisgarh, Himachal Pradesh, Andhra Pradesh and Tamil Nadu are fully operationalising food interventions, which to a larger extent have enhanced food security in the country (Dreze, 2006). In essence, the RFC seems to adopt a defensive mechanism and this strategy appears to have achieved considerable success in safeguarding food security.

### **Food Justice: Drawing Inspiration from India**

To what extent does the activism of the RFC shape our thoughts about using mobilisation to enhance food security in South Africa, the Global South and North? The movement's relative success towards universalisation of ICDS, effective monitoring of MDM and adoption of the NFSA holds six lessons for academics, activists, legal community, policymakers and politicians.

Undoubtedly, the most sobering lesson from this study is that the formation of food security movements may encounter different challenges, on different terrains. This may include internal tensions incited by ideological differences, strategies or *modi operandi*. As demonstrated in the discussion, the SCM of the RFC at some point were torn between shifting resources from (un)conventional approaches to progressive contestation or legislative lobbies. Ultimately, a middle path of blending both strategies was adopted which triggered the desired results of bringing about a NFSA. There is, therefore, a need for compromise in situations of conflict of interest in internal decision-making or strategies to advance a common cause.

A second lesson is that consciousness of one's entitlement is a key ingredient in food activism, especially as people may not respond to a call if they do not know why. In this regard, the movement used advocacy to educate the populace on key concepts such as

neoliberalism, politics of provision, moral economy and how to claim their entitlement.

Third, South African legal practitioners and their contemporaries could also rely on the Constitution and present a petition to the courts, alleging a violation of the RTF in the context of the right to life (in cases where the RTF is not explicitly guaranteed in the Constitution).

Fourth, the role of intellectuals in this domain must not be underestimated as they could provide the normative basis for mobilisation. The contribution of these actors may be linked to generating essential information or answering key questions broaching where food insecurity is prevalent, who is mostly affected and why they are vulnerable. This area may also be complemented with grassroots surveys conducted by local activists trained and equipped to engage in social audits. In the course of conducting this exercise, they may engage in advocacy as a form of educating locals on how to demand their entrenched RTF. Moreover, human rights activists could rely on this information to mobilise the food insecure and the general public to undertake popular action, including demonstration, especially by making the masses aware of the obligation of the state in this regard and its failure to adopt sufficient measures to comply.

In addition, creative interpretation of the law or court orders alone is incapable of guaranteeing RTF. Yet, litigation or legal reforms are often the first step towards contestation in this arena, even though courtrooms alone are insufficient grounds for translating *de jure* right into *de facto* food security.

A final lesson to draw is that, women are key actors in food activism. As demonstrated in the [previous chapter](#) where women formed the rank and file of most activisms, the same could be said of the RFC. With virtually all its members being women, the WBG was tasked with providing basic education to mothers, peasants and the middle-class on the conceptual and structural factors exacerbating their food insecurity. Knowledge of these challenges provided an impetus to mobilise horizontal networks against the state.

In short, the realisation of food security is an intricate procedure involving the political will of key actors to translate RTF from paper into practice. While countries such as India, South Africa and several others may have an activist judicial system with judges willing to depart from conventional application of the law in order to safeguard marginalised communities, their efforts need to be complemented with either

legislative lobbying or popular activism, or both (Birchfield and Corsi, 2009).

## Conclusion

With the RFC's nearly two decades of mobilisation around food, India has found food security worthy of national legislation and enforcement. The current chapter begun by tracing the evolution of the RFC which relied on litigation, advocacy, collective action and lobbying as a means of alleviating hunger. It begun by submitting petitions to the Court for a violation of children's right to nutrition, used grassroots mobilisation and activism to ensure compliance, and ultimately lobbied policymakers for the adoption of a NFSA. This demonstrated that in order to safeguard the RTF, it was necessary to mobilise at the (sub) national levels, and such mobilisation needed to interact or be backed by institutional measures such as court action or a parliamentary lobby.

Besides invoking court orders as the basis for their activism, the RFC used local languages to educate peasants about their rights, while using open letters to coerce the PM to integrate key provisions in the NFSA. The movement explicitly obtained interim orders from the Court and monitored their enforcement through social audits and public hearings. Following the arsenal of (un)conventional and progressive contestations launched by the RFC, the MDM and ICDS have been expanded, and almost universalised at the time of writing.

Suffice it to say, the developmental stages of the organisation, spanning between 2001 and 2009, were marked by petitions and litigation which focused on drawing the courts' attention to governmental indifference to the plight of millions, and especially undernourished children and pregnant women. These legal battles were supplemented with field surveys conducted by court-appointed commissioners, with the support of surveys by academics and RFC activists. Beyond the courtroom, the organisation undertook extensive advocacy, including distribution of court directives, organising outreach programmes and protest all to mobilise society for the advancement of food security. These high-profile contestations generated social pressure, which, together with the apparent evidence of starvation in drought-affected areas triggered activists to submit petitions, all with a common goal: an end to hunger.

While the RFC fell short in universalising PDS through the NFSA, it somewhat demonstrated that national governments do indeed respond to social pressure or mobilisation for fundamental rights. At the rural level, it used workshops to name and shame corrupt local officials, force local government officials to comply with court orders, and invited public intellectuals to add their voice to ongoing discussions around the daily terrorism of hunger. Moreover, together with the data provided by RFC trainees, independent scholars and commissioners, the court managed to monitor the level of state (non)compliance and issue further interim orders until the government decided to review its guidelines for improved MDM. Also, besides seeing its membership in the NAC as an opportunity to partner with the state in the enactment of a comprehensive NFSA, it resorted to unconventional tactics such as protest, demonstration and rallies to coerce the PM and other policy-makers into including provisions towards the empowerment of women, and on the specific grains to be allotted to each qualified household. This chapter has demonstrated that to safeguard people's food security, a non-state actor may operate *with* and/or *against* the state. Simply put, it must rely on three strategies: conventional, unconventional and progressive contestations.

In summary, effective food activism depends on the ability of its organisers to invoke dominant concepts to frame an appealing grievance. Messages conveyed in simple language are important as some might not fully grasp the import of concepts such as moral economy, relative deprivation, politics of provision or neoliberalism which impact living conditions. Having extracted some of the elements underpinning food activism, the [next chapter](#) turns to examine why food activism is rare in a fellow BRICS country, South Africa.

# 4 | *Rocking the Boat? Mobilising for Food Security in South Africa*

## Introduction

The realisation of food security in South Africa is marked by two stark realities. First, while the country is food secure, millions go to bed hungry (RSA, 2019). Second, the country is home to considerable social activism pressing for different rights, but rarely on the issue of food security. The seed of activism often spill over to the lawns of the National Assembly, the grounds of the Union Buildings and to the streets of provincial capitals and townships. Most of these mobilisations have been, on the surface, about rising fees of university education, corrupt national and municipal leaders, service delivery and forced evictions (Alexander, 2010). Ironically, even though millions are faced with the daily terrorism of hunger, there has not been sufficient activism around food security.

Over the last two decades, an essential trait of South Africa's activism has been rising levels of resistance by students and unemployed youths articulating broader demands (Nash, 2006; Nleya, 2011; Naicker, 2016; Pillay, 2016; Hodes, 2017). Many of these contemporary militant actions are underpinned by the growing divide between the haves and the have-nots, as well as economic hardships triggered by job losses (Francis and Webster, 2019). Three groups which have been active in the realm of contentious politics are the #FeesMustFall movement (FMF), the Treatment Action Campaign (TAC) and *Abahlali baseMjondolo* (AbM). By enhancing and sustaining access to basic socioeconomic needs for students, persons with HIV/AIDS and the landless, these movements have positively impacted on the lives of these vulnerable groups. The role of these movements may be seen as mediating the relationship between the state and the marginalised section of its population. It is in this context that the chapter draws from the movements' contestations to inform or overcome challenges confronting food insecurity in South Africa and other countries.

A key question lingers: Why is South Africa still riddled with mass mobilisation nearly three decades after liberation? This lively question gives birth to the [next section](#) which interrogates the growing discontent, constitutional protection for activists and an increasing amount of collective action. Following this theoretical analysis, we look at why South Africa, ravaged by different forms of activism, rarely experiences mobilisation around food security though hunger is prevalent. The aim of this analysis is to unravel the challenges which militate against mobilising for food security. [Following this](#) is a statement on some of the strategies for overcoming these challenges. To be exact, this section seeks to draw inspiration from the evolution, main strategies and avenues of struggle from contemporary social movements in order to inform the formation or modus operandi of a prospective food movement. The multiple spaces of activism and strategies examined stretch from litigation, advocacy, demonstration and lobbying. The final section discusses the lessons learned in the form of a conclusion.

### **Why the Rising Discontent?**

The transition of South Africa from apartheid to democracy in 1994 marked a significant shift from racial/cultural disintegration into societal integration ([Khosa, 1995](#)). Yet, over the last twenty-five years, the country's democratisation exercise has been entwined with a glaring exclusion of the majority. Its mantra of a 'rainbow nation' has been tested by several social movements challenging the economic and political marginalisation of a disproportionately large section of the population, often considered as the poor and powerless ([Leonard and Pelling, 2010](#)). Their experience of citizenship remains ambiguous as they are continually alienated from accessing national socioeconomic goods, even though their entitlement to this largesse has been embedded in the 1996 Constitution. In seeking to overcome their deprivation, these vulnerable people often mobilise themselves into social movements as means of having a unified voice in expressing their discontent for their state of deprivation. These forms of activism are, on the one hand, aimed at building new channels of communication between the state and the deprived and, on the other, improving the effectiveness of the state in areas with direct relevance to their sustenance ([Alexander, 2010](#)).



**Table 4.1** *Citizens' activism*

Nature of Activism	2018/19	2017/18	2016/17	2015/16
Non-violent actions	11,431	10,853	10,978	11,151
Violent actions	4,526	3,540	3,715	3,542
<b>Total</b>	<b>15,957</b>	<b>14,393</b>	<b>14,693</b>	<b>14,693</b>

Source: SAPS 2019: 151

Since 2007, the country has witnessed a surge in various forms of activism. This proliferation may be linked to the daily struggle of millions unable to access basic necessities caused by an influx of capitalism and insensitive government response to these challenges (Desai and Pithouse, 2004; Bosch, 2017). As shown in Table 4.1, with 15,957 (non)violent dissensus in 2018/19 alone, this figure may arguably be classified as the highest globally (SAPS, 2019: 151). Further, with its branding as the 'protest capital of the world', systematic mass action in the form of violent confrontations, petitions, demonstrations, picketing, marches and sit-ins have become intense in several townships (Runciman, 2017). The spaces of dissent enable the poor and marginalised to challenge the state and act independently of it.

Taking into account that most of these contentious politics are launched by the marginalised themselves without external interventions, one could argue that the rising level of dissensus signify their prospect for enhancing the living standard of this group as they provide avenues for citizen's empowerment (Olzak and Olivier, 1998; Lodge and Mottiar, 2016). Five factors underpin South Africa's contemporary dissent: (i) insensitivity of local councillors and national government to the plight of the poor; (ii) the liberalisation of economic structures and resultant poverty; (iii) neo-apartheid or racial economic inequality; (iv) corruption by government officials; and (v) poor service delivery. Certainly, poverty and inequality are intrinsic to liberalisation and capitalism, and their impact at the local level is tied to the manipulations of the international economy by global players, such as the IMF and the World Bank.

It is a fair observation to hint that, like other developing countries, South Africa is confronted with legitimate budgetary constraints in an era of financial instability and economic recession and is ultimately

incapable of complying with all its socioeconomic obligations. It is against this backdrop that section 27 of the 1996 Constitution calls for a progressive realisation of the rights to food, water and health. Section 11 of the same document, however, adds a caveat to this leeway by indicating that in light of the pre-eminence of the right to life, all available resources must be channelled to safeguard it. This provision in essence avers that government must safeguard people's right to life through the provision of food, water and healthcare as the notion of 'progressive realisation' does not apply in the face of preventable and painful deaths caused by hunger, thirst and curable illness.

Also, as in other regimes, the objectives of civil society organisations (CSOs) and social movements in the country are fragmented as they address diverse aspects of socioeconomic and political issues.<sup>1</sup> Most of these movements operate on the notion that people need to use different avenues to wrestle state and private businesses in order to tap into the available resources which these actors are unwilling to deploy for the public good (Hough 2008; Lodge and Mottiar 2016). To one such institution, Black Sash (2019), overcoming the current social disparity calls for a significant shift in economic policy which prioritises social needs of the poor through wealth transfer or redistribution of resources from (non)state actors to the deprived. The observation of the organisation seems to underscore the initial assertion that the various forms of dissensus are new forms of participatory democracy as the poor get an opportunity to influence and transform conventional political boundaries or older forms of governance (Mottiar and Bond 2012). By taking to the streets and different arenas of contention, citizens aim at raising political consciousness, assert control over their resources, demand accountability and act as political agent for the powerless.

Two camps could be distilled from South Africa's political contestation. The first consists of acts of dissension waged by uncoordinated and often desperate communities. Communities in this camp often engage in sporadic dissensus in reaction to poor service delivery, alleged corrupt councillors, forced evictions, high tariffs and disconnection of electricity and water supplies (Mottiar, 2013). The second consists of movements which are more organised and

<sup>1</sup> CSO is an umbrella term for all voluntary, non-profit agents or entities formed by the people in the social domain and distinct from the market and government. They include non-governmental organisations, social movements and community-based organisations (CBOs).

pursue change-oriented goals. Although some of the mobilisation is initiated by the poor themselves, the highly organised ones are often supported by CSOs or donors.

Yet, regardless of their forms of (dis)organisation, these collective actions may be further segregated into two blocs: counter opposition groups (COGs) and rights-based-opposition groups (RBOGs). The COGs is made up of movements which use confrontation against any government economic policy seen as detrimental to the well-being of their members. Their opposition often relates to privatisation of state resources, insufficient access to land and commodification of basic needs such as water (Piper *et al.*, 2011). Organisations which fall under this bloc encompass those with the aim of promoting access to basic services, safeguarding productive resources, forestalling electricity and water disconnection in townships and enhancing poor households' access to land. Two foundations which come to mind are the Anti-Privatisation Forum (APF) and Soweto Electricity Crisis Committee (SECC) which have been active in mobilising around land reform, free and/or cheap electricity and water services for residents in *iKasi* (townships). The RBOGs represent those who hold government accountable for failing to respect, promote and protect citizen's entitlements as entrenched in the Constitution. These organisations often launch a call for mobilisation when the executive fails to adopt a particular policy to safeguard vulnerable groups or fails to effectively operationalise existing policies to benefit affected communities (De La Rey and Raju, 1996).

Mindful of the fact that food security falls under constitutional protection and the widespread hunger in contemporary South Africa (as discussed in the previous chapters) is tied to the failures of the state to adopt and operationalise a comprehensive food security strategy, RBOGs will be the focus of the remaining section of this chapter. Five different types of organisations fall under this rubric. First, those with the specific objective of fast tracking the state's expropriation of land without compensation and forestalling forceful evictions of tenants by (non)state entities (Alexander and Pfaffe, 2014). The AbM, Western Cape Anti-Eviction Campaign (WCAEC) and Landless People's Movement (LPM) have emerged as three influential movements which rely on disruptive techniques to push the boundaries of land reform and tenure (Venter and Swart, 2002; MirafTAB and Wills, 2005; Mottiar and Bond, 2012).

The second consists of those with focus on the nexus between business and human rights, or mobilise against collateral harms suffered by workers or residents due to the harmful effect of business activities. The Centre for Human Rights (University of Pretoria), Legal Resources Centre, Lawyers for Human Rights and Dullah Omah Institute for Human Rights vigorously campaign against harmful corporate practices and the need to treat all employees with respect, equality, fairness and dignity.

The third strand comprises vibrant organisations with the aim of averting environmental hazards triggered by greenhouse gas emissions. Like-minded organisations, including the Global Climate Institute (GCI, 2019), Sustainable Energy Africa, Groundwork, The Greenhouse Project, Environmental Monitoring Group, Group for Environmental Monitoring, Environmental Justice Network Forum and Environmental Justice and Sustainable Development rely on multi- and transdisciplinary approaches to challenge industry and government to embark on low carbon pathways or cutting carbon emissions (GCI, 2019).

All trade unions with the objective of safeguarding the rights of workers from government and private entities fall under the fourth bracket. With key bodies such as the National Union of Metal Workers (NUMSA), National Education Health and Allied Workers Union (NEHAWU) and Congress of South African Trade Unions (COSATU), these organisations adopt confrontational strategies including sit-ins and mass demonstrations as means of coercing the state and private entities to improve business practices and conditions of workers.

The last batch is those with aspirations of confronting the state for disregarding the plight of the vulnerable. Flock of organisations including the Lawyers for Human Rights, Studies in Poverty and Inequality Institute (SPII) and Oxfam rely on research and mass-based actions to coerce the state to live up to its constitutional and political promise of protecting vulnerable groups such as children, the disabled, the deprived, refugees and women. As discussed in the following, three movements which have successfully held the state accountable in this regard are the AbM, FMF and TAC.

### **Why Is Food Activism Rare in South Africa?**

The previous discussion begs the question, why has there not been any form of political contestation around food in the aforementioned list? Such mobilisation could have taken the shape of marches,

parading effigies or signing petitions alleging a violation of right to food (RTF) under section 27 of the Constitution. As discussed in the [previous section](#), the politics of provision or the various forms of citizen–state contention is underpinned by an implicit or explicit social contract stipulating that the legitimacy of the government rests on its ability to provide for the sustenance of its people. Once the government reneges on this responsibility and citizens are subjected to unmet deprivation, this trust or contract is essentially nullified. This begs the question, why has South Africa’s social contract (in terms of food security) been breached and yet the affected have not mobilised? The answer lies in two procedural factors: first, the absence of an activist CSO to take on the cause; and second, the absence of a charismatic figure to lead the group. These two golden threads run through most RBOGs. To justify these hypotheses, the [next section](#) surveys these elements and how they contributed in sparking collective action around three previously side-lined rights: land, education and health. The cases will serve as useful guidelines to better understand the prospects or challenges which will confront the formation and modus operandi of a potential food security campaign in contemporary South Africa and beyond. Due to limited space, only three cases will be considered.

### *Land Contestation and AbM*

Over the last two decades, South Africa has adopted several legal instruments to safeguard squatters from wrongful evictions and homelessness. Basically, it forged the Reconstruction and Development Programme ([SA History 1994](#)) which earmarked a fixed housing subsidy for the construction and distribution of houses for poor households ([SA History, 1994](#)). Yet, in contrast to the policy’s goal of providing housing in areas close to economic opportunities, the actual operationalisation of the programme witnessed these houses situated in townships and far removed from transport educational, health and social amenities ([Leonard and Pelling, 2010](#)). Barring these irregularities, the programme has been riddled with tender scuffles, underhandness in housing allocation and (non)state contractors selling rather than distributing RDP houses. Without or with only insufficient access to housing, hundreds continue to migrate and erect shacks in the inner cities of many provinces.

With their informal settlements, the state perceives residents of this community as a threat to modernity and urban planning. Bearing this in mind, the state has resorted to revanchism as a means of eliminating shack settlements rather than addressing the corrupt allocation of RDP houses or assessing means of integrating these new settlements into urban planning. These revanchism tactics could be grouped into three camps: (i) demolishing established communities; (ii) forestalling new or expansion of existing settlements through the use of force; and (iii) limiting or cutting communities' access to services including refuse removal, electricity and water.

It is this framework of state violence and intimidation which sparked the formation of the AbM in 2005. Originally led by S'bu Zikode, the movement has launched hundreds of demonstrations against the state's consistent practice of class segregation (AbM, 2013; Moore, 2013). AbM, which in Zulu implies shack dwellers, has evolved to become an influential grass-roots campaign with branches in different provinces (Zikode, 2009). With its rank and file composed of the poor, the movement has created a new form of language or dialogue by confronting politicians to listen to the daily struggles of their electorates. One of the cardinal aims of the movement has been to pursue the politics of the marginalised, by the marginalised and for the marginalised. Through Zikode's charismatic leadership, AbM has attracted individuals from different national, racial and ethnic backgrounds (Gibson, 2008). It may not be farfetched to opine that this impressive diversity may be tied to the leader's continuous recognition of, and aspiration for, the promotion of the dignity of each person.

As a self-organised shack-dwellers movement, AbM is neither isolated from, above or outside the shack-dweller community (Mdlalose, 2014). The movement has over the last decade built a framework for self-organisation popularly termed as the University of the Abahlali. Through this organisational structure, it challenges contemporary policymakers to decentralise political power (vertically and horizontally) and/or address the legacies of colonialism by redistributing land to the landless. To attain these objectives, the movement advocates for accountability, bottom-up approaches to democracy, autonomy and decentralisation. Under Zikode's (2008) leadership, the movement seeks to assert their right to inhabit the city of Durban and that struggle is centred on building spaces which are cognisant of the humanity of all,

particularly as housing and land are key tenets to the struggle for every decolonised society (Zikode, 2008).

Zikode's strong leadership is exemplified in his shunning of bribery, often in the form of political appointment and money from the state and its allied NGOs, and rather his focus on consolidating the movement (Gill, 2014). In the face of this, AbM has no donor funders nor is it politically allied to any of the mainstream political parties. Through vote strikes and road blockades, the mobilisation strategies of the organisation have progressively gathered steam and culminated into several incidents of municipal unrests. One such dissent worth citing is the 2007 mass rally against the adoption of the KwaZulu-Natal Elimination and Prevention of 2007 Re-emergence of Slums Act 6. Specifically aimed at Zikode and fellow squatters, the legislation (as its name connotes) proscribed the existence or formation of any shack-dwellers' movement, abolishing collection of membership fee for such a movement or any unlawful occupation of state land (Gibson, 2008). Through its partnership with legal practitioners and backed by local churches, academics and like-minded NGOs, the Constitutional Court (ConCourt) struck down the legislation as it was found to breach section 26 of the Constitution. Arguably, one could speculate that there have been fewer evictions and demolitions of shacks after this judgment.

In short, irrespective of the state's repressive response to the group's demand for land, Zikode successfully mobilised this marginalised community and made steady gains in safeguarding their housing and land rights. Also, the movement upheld citizens' right to dissent; won access to and (re)connected many households to basic services such as water and electricity; established support services including crèches for the community; created and expanded shack settlements; and vigorously contested government evictions of shacks.

Zikode's charismatic leadership, exemplified in the formation and subsequent success of his movement provides an indication of the absence of such a leader in the area of hunger. Unlike housing, there has not been any individual in post-apartheid South Africa committed to democratise food insecurity through courts, parliament, popular media or taking to the streets. Zikode was such a leader for shack dwellers. In seeking to overcome food insecurity, the emergence of

such a person to mobilise the impoverished will be essential in reversing the trend of hunger.

### *Youth Mobilisation and FMF*

Reminiscent of Zikode, the charisma of FMF movement leaders, such as Chumani Maxwele and Mcebo Dlamini, indicate that the willingness of an influential personality to take on the cause of others is a key factor for expression of dissent around any form of entitlement, particularly food. The evolution of the movement may be traced to the 9 March 2015 student uprising at the University of Cape Town, where Maxwele threw human excrement against the monument of Cecil John Rhodes (Ndlovu, 2017).<sup>2</sup> Often branded as *poo politics*, the use of excrement inspires collective action by inciting public discontent against a previously cherished edifice through demonisation of such (colonial) symbols. This act of defiance inspired the resurgence of student activism in late 2015 where students across various tertiary institutions galvanised for a common agenda: forestalling the rising cost of education. Between 2000 and 2012, government expenditure on tertiary education has dropped by 9 per cent, even though the figure of tertiary students almost doubled in the same period (Ndlovu, 2017). This triggered a 7 per cent increase in the contribution of students' fees to cover the budget shortfall (Nkrumah, 2019). The hike implies that universities could become nothing but a mirage for children with poor backgrounds and/or those not beneficiaries of any form of (non)state scholarship.

In this light, tertiary education has come to be perceived as a classic manifestation of a system designed to suppress black youths, particularly with most springing from financially unstable backgrounds. Realising that such a deprivation is an affront to their constitutional entitlement under section 29(1), the students embarked on series of demonstrations from classrooms to the lawns of the official residence of the president and the national assembly (Ndlovu, 2017). Strategies used by the young activists included singing, holding night vigils, destruction of property and clashes with police and private security personnel. Clearly, the aforementioned legal provision was informed by the ruling party's creed, the 1995 Freedom Charter which espouses

<sup>2</sup> Sir Rhodes was infamous for being a racist English coloniser and businessman.



that university shall be accessible to all through financial assistance including subsidies, allowances and scholarships from the state. The evolution of the movement may, therefore, be seen as the fruit of nearly three decades of unfilled promises. The student unrest served as a means of conveying their collective discontent and frustration with the fees increase. Basically, the cause of the students appealed to (non) academic staff of the various universities, who downed their tools and joined the young activists actively engaged in the movement as their duties have been affected by poor government and institutional responses. The response of the ruling African National congress (ANC) to this new movement provided an indication of the party's inclination to resort to aggression and intimidation when citizens mobilise outside its structures. Its suppressive tactics comprise the use of water cannons, stun grenades, tear gas and the overall militarisation of campuses.

In the course of the mobilisation, the students shifted gear from protesting fee increases to three, but not necessarily contradictory, agenda, namely decolonisation of university education, an end to the mistreatment of campus support services staff, and free tertiary education (Nkrumah, 2019). These demands were borne out of just and legitimate discontent as the existing state scholarship, officially known as the National Student Financial Aid Scheme (NSFAS) excluded millions and failed to provide the necessary financial support for the few qualified tertiary students. Essentially, aside from the plethora of demands advocated by the students, the ultimate goal was zero-fee tertiary education for all, especially the poor. This campaign from zero increase to zero fees led to a nationwide call and marches, and culminated into suspension of academic programmes across the country's universities. It goes without saying that the students used this platform to advance the class struggle of workers, of whom some happen to be their parents working as university support staff (USS). Led by Dlamini, the young activists bemoaned privatisation and outsourcing of USS which they considered as a means of denying vulnerable workers fringe benefits.

What started as a simple act of defiance or removal of a colonial symbol escalated into a national movement with hundreds of parents, USS and students hitting the streets in scenes bearing comparison with the 1963 March on Washington. This mass movement, which attracted diverse groups of people, provided a platform for others to vent their

discontent on several other socioeconomic deprivations, specifically poor service delivery and poverty (Moloi *et al.*, 2017).

The movement was illustrative of the failure of the ANC to live up to its revolutionary credentials of improving the living conditions of the people in a democratic country (Hodes, 2017). While access to tertiary education is seen by students as a means of overcoming their daily struggles, the neoliberal logic at the heart of management of the country's tertiary institutions has hindered many from accessing these institutions. In the case of the successful few, while female students get raped, robbed and sometimes killed on and off campuses, their male counterparts hang on trains to reach or return from campuses, and sometimes go to bed on empty stomachs (Nkrumah, 2019). Alongside serving as a sober reminder of the lack of transformation in tertiary institutions, the movement highlighted the mounting debt of students due to unaffordable fees, decolonisation of universities or institutional culture, and a revision of the social composition of academic staff. These questions, indeed, justified students calling for plans and strategies to enhance education as a means of achieving the national development agenda of alleviating poverty.

The uprising only came to a halt following the government's decision to freeze university fees for the subsequent academic year (Mutekwe, 2017). The compliance of the state with the students' demand is not only key for enhancing the country's human capital investment, mainly in light of the shortage of high-level skills, but plays an important role towards promoting social justice by enabling marginalised communities to access education in the face of harsh socioeconomic conditions. However, in future collective action, the use of violence should be eschewed by students as the throng may be accused of making the country ungovernable whereas security personnel responding with similar force may be seen as legitimate. It is imperative that any mobilisation for food must be able to table feasible demands and focus on positive strategies at reaching its goals.

The FMF provides a useful indicator as to why there has not been a food activism movement yet in contemporary South Africa. As discussed, the collective organisation was triggered by a specific individual who had the social conscience and courage to challenge existing power relationships. He relied on his moral judgement and reasoning to express political dissent rather than be simply driven by frustration as a means of questioning and seeking to reform or modify the prevailing

political and economic structures of tertiary institutions. Consequently, unlike the FMF and its predecessor, AbM, the food insecure lack daring and resolute leader(s) to galvanise them and raise awareness about the underlying social, economic and political drivers of hunger. This form of mobilisation could further be channelled towards challenging the existing social order, or using nonconformity to persuade the state to forge a comprehensive food security programme for the hungry. To Della Porta and Diani (2020: 5), this form of alternative or ‘radical’ strategy is important, especially in a political setting where traditional norms have relegated the plight of the famished to the fringes over the last two decades.

### *Agitating to Live and TAC*

The evolution of TAC clearly demonstrates that a key factor for enhancing mobilisation around food security and other basic entitlement is the existence of a CSO willing to revolutionise critique and challenge the system on behalf of the impoverished. Forged on International Human Rights Day (10 December 1998) by a small cluster of demonstrators and led by Zackie Achmat, the movement perceived treatment for HIV/AIDs and other diseases as an entitlement for every citizen. The formation of the Campaign was sparked with a march by approximately fifteen people demanding the right to medical care for these victims. The demonstrators had, by the end of the day collected more than a thousand signatures entreating the state to frame and operationalise a National Treatment Plan (NTP) for prevention of mother-to-child transmission (PMTCT). The following year (March 1999), the organisation mobilised victims who took to the streets to confront policymakers on their failure to roll out the proposed interventions.

The aim of the Campaign was to use a multipronged approach to popularise and enforce section 27(1)(a) of the 1996 South African Constitution which espouses access to ‘health care services’ for ‘everyone’. In this context, the group realised that articulating the right to health in a courtroom alone was not sufficient to catalyse its realisation. An effective enforcement in this arena calls for creatively linking this right to other political and social issues, mainly by training volunteers and community activists on how to link HIV/AIDs to issues of governance, politics and law. These transdisciplinary strategies ensured that the Campaign was armed with the moral and legal tools to counter

unfair discrimination against people affected with the virus. In this sense, it speculated that the spread of the virus reflected social injustice perpetuated against the poor and previously marginalised black communities. To popularise this ideology, it relied on different strategies ranging from litigation, grassroots advocacy and lobbying of influential actors to support its cause.

At the onset, the Campaign laid inaccessibility to antiretroviral drugs (ARV) at the door of multinational pharmaceutical companies for profiteering and overcharging patients, which they considered was an affront to section 27 of the Constitution. Yet, as time passed, the Campaign recognised that the obligation to fulfil the right to health placed positive and negative obligations on the state. In other words, by adopting a Constitution which recognises the justiciability of the right to health, the state has an obligation to make budgetary allocation for this cause. The Campaign avowed that the state has an obligation to make the drugs affordable either by parallel importation or threat of compulsory licencing. In other words, the former refers to importation of similar, but less expensive drugs, and the latter to use of the notion of eminent domain (public interest) to force a patent holder to grant the state licence to manufacture the drugs. These recommendations aligned with the economic situation in the late 1990s where it became a common perception that the excessive cost of HIV treatment was beyond the budget of most regimes in the Global South. Simply put, national financial deficit implies that a disproportionate percentage of patients are sentenced to excruciating and certain death.

Consequently, in January 2000, the Campaign launched its first legal battle by filing papers as *amicus curiae* (friend of the court) with the government against the Pharmaceutical Manufacturers' Association (PMA), a conglomerate of global pharmaceutical companies which challenged the 1965 Medicines and Related Substances Act 101. The application of the PMA opposed section 3.7.2(iii) which allowed the state to either import cheap ARVs or allow others the right to manufacture same for distribution locally. The association eventually withdrew its application in April 2000 following a massive TAC rally outside the court premises on the first day of the hearing. This partial victory was revitalised in 2002 where the ConCourt handed down a groundbreaking decision obliging the state to operationalise NTP and PMTCT (*MoH v TAC*). TAC was known for complementing its lawsuits with unconventional tactics such as vibrant mobilisation, legal

advocacy, media attention and marches to draw broad-based support and solidarity for its cause (*Grootboom, 2000*). Therefore, upon failure of the state to comply with this ruling, the Campaign led approximately 20,000 individuals to the National Assembly in February 2003 to demand an enforcement of this order. Moreover, besides winning the affirmation of anti-apartheid leader and former president, Nelson Mandela (whose son, Makgatho Mandela died of AIDs in 2005), the movement built strong dialogue with some members of the president's cabinet and leading ANC health officials, which eventually resulted in the operationalisation of these interventions. To *Heywood (2009: 25)*, the mass distribution of the drug resulted in about 82 per cent of babies being saved from mother-to-child transmission (MTCT).<sup>3</sup>

Essentially, a key lesson to be drawn from the TAC is that persons with HIV/AIDS have free access to medication because there was an NGO willing to take on their case. This indicates that, for the RTF be enforced as its counterpart the right to health (all grouped under the same section 26 of the Constitution), there must be a CSO ready to agitate for their cause. Such an organisation could build strong partnerships with other (inter)national NGOs and government officials (at the local, provincial and national levels) while strengthening its grass-roots base.

### Drawing Lessons for Food Activism

The aforementioned cases have demonstrated that post-apartheid South Africa has rarely seen mobilisation around food for three reasons. First, while there is a plethora of NGOs alleging to have a food security mandate, none are vibrant enough to bring the populace under one umbrella to (re)shape government policy. Zikode, Maxwele and Achmat defied conventional norms by explicitly entering into debates that encompasses dissenting from prevailing beliefs and practices covering access to land, free tertiary education and medication. Like hunger, these issues broach on poverty, inequality and social injustice. The trio forged and led movements which fought for the well-being of a group considered as outlaws and not fit to reside or receive state intervention for development or sustenance. They further

<sup>3</sup> Out of a total of 19,758 babies born to infected mothers, 3,470 contracted the virus while the remaining 16,288 were uninfected.

shunned all forms of corruption and framed the movements' cases as: (i) campaigns for the marginalised; (ii) policy alternatives grounded on people's constitutional entitlement; and (iii) the state's obligation to fulfil such entitlement.

Second, there is no charismatic individual or NGO willing to conscientise the hungry. As argued in the previous chapters, it takes awareness of a breach of entitlement to trigger dissent. It goes without saying that people are more likely to rally behind a cause when they are aware of their entitlement and are also cognisant of the fact that elected officials have moral and legal obligations to fulfil this claim. Thus, without sufficient information on the role of the state to provide direct food supply to the famished, ensure price stability for the middle class, facilitate job creation for the jobless or fair social assistance to those with special needs, it will be cumbersome to convince the hungry that an injustice is being perpetuated by duty bearers.<sup>4</sup> As demonstrated by the aforementioned cases, CSOs with food security mandates need to disseminate information and educate the public about their food entitlement. They need to further follow their conscience and actively engage in various forms of mobilisation, litigation, lobby and, if need be, dissent to ensure that the hungry have bread and milk. These CSOs must be willing to engage in political contestation even if their underlying notion of social injustice is an affront to society's dominant opinion or the law. But, the latter will rarely suffice as the ConCourt recently handed down a judgement which affirms that public expression of dissent does not require prior state authorisation (*Mlungwana and Others v S and Another*). It is, therefore, imperative that in the face of prevalent hunger, relevant NGOs such as Oxfam and its contemporaries exercise their respective moral judgement and vigorously safeguard the interests of the group they represent. Needless to say, the vast number of landless people, students and HIV/AIDs victims who volunteered in and participated in the AbM, FMF and TAC, respectively, proves that individuals will mobilise around tangible unmet needs, instead of abstract and general claims of inequality.

Finally, as opined in [Chapter 2](#), a food security movement will thrive on the backs of people desperate for food and not merely abstract condemnation of social injustice perpetuated by the state, regardless of its truth or otherwise ([Nkrumah 2018: 6](#)). Most volunteers will be

<sup>4</sup> For a thorough discussion of this group, see [Chapter 4](#) of this book.

eager to know either whether there is a remedy in the form of nutrition for pregnant women and their unborn babies, or food for the hungry. The first step in this regard will be building capacity at the local level, through advocacy and information dissemination around citizen's RTF and the current state of food insecurity. This form of literacy will enable local communities, especially famished households, to know that they have an entitlement which is embedded in the Constitution and to be prepared to fight for it. Basically, regardless of its limitations, the 1996 Constitution entrenched key socioeconomic rights, such as the RTF, and tied these to key democratic tenets, including the rule of law, government responsibility and accountability. Mobilising around food could set the agenda for the state and NGOs to jointly agree on common strategies towards addressing hunger at the household and grassroots levels. This form of mobilisation may be a new form of contentious politics, targeted at overcoming urban food price hikes, absorption of the unemployed into social security programmes and support for rural farmers.

### **In Place of a Conclusion**

The primary objective of this chapter was to answer a looming question: Why is mobilisation around food rare in South Africa? Put differently, why has there not been any form of political contestation around food despite widespread hunger? By way of response, the chapter assessed the conditions which have enhanced dissent in post-apartheid South Africa. Emphasis was placed on how previously neglected basic needs, such as insufficient access to housing, education and health care, were placed on the political radar through the activism of three key movements, AbM, FMF and TAC. The cases demonstrate the indifference of the state to the plight of marginalised groups. These individuals, while enduring agonising exclusion from state largesse, were incapable of mobilising or taking to the streets to press for their entitlement until the emergence of a 'Moses' to deliver them out of their misery. These liberators, in the form of Zikode, Maxwele and Achmat, forged organisations which relied on multipronged approaches covering advocacy, courtrooms, marches, social media and lobbying in order to advance the cause of their followers. Accordingly, they recorded two vital successes. First, they empowered previously marginalised populations by (indirectly) educating them on how they could agitate for their

rights. Second, they carved out a social movement and continue to leave a legacy which straddles the boundaries between provincial and local communities.

Drawing from these movements, the chapter found that mobilisation around any basic need is triggered by the presence of a charismatic leader and a CSO disposed to take on the cause of a target group. It is apparent that the relegation of food insecurity to the background may be linked to the absence of these two key elements. The possible formation of a food security movement will play a vital role in providing this group with literacy campaigns about their rights, and determining which strategies are cut out for effective democratic engagement. As seen from the movements, an essential strategy for mobilising around food will be the recruitment of those most affected by hunger as they have a stake and first-hand experience of this plight. Simply put, the rank and file of the movement must be composed of the unemployed and food insecure themselves as they may have the time to commit to the various activities including the use of social media, email, newspaper articles and rallies.

The inclination of one or more individuals to mobilise a group of hungry households, or an existing CSO partnering with the deprived, is what is needed to express political dissent and not merely frustration about widespread hunger. In this sense, the mobilising agent and volunteers may need to master (i) courage, as there is no uniform public voice empathising with the famished; (ii) education, to enable the group to reflect on which strategy is best suited; and (iii) social consciousness of their entitlement and how to claim it.



# 5 | *Food (In)Security and Legal Implications in South Africa*

## Introduction

A considerable number of post-twentieth-century constitutions and international instruments have witnessed a surge in the codification of socioeconomic needs and demands. On that account, one of the main distinctions between contemporary and medieval constitutions is that while the former is pro-poor, the latter largely overlooks group/individual subsistence. That is to say, while a number of twentieth- and twenty-first-century constitutions explicitly safeguards key socioeconomic needs, their eighteenth- and nineteenth-century counterparts omit these entitlements.<sup>1</sup> As demonstrated by the Constitutions of the USA, Norway, Belgium, Denmark, Argentina, Luxembourg and Tonga, the prevailing opinion at the time was that poor relief did not merit legal guarantees.<sup>2</sup>

Invariably, the inclusion of the right to food (RTF) in post-twentieth-century instruments, like the 1996 South African Constitution, sprang from periods of struggle, and symbolise unified commitment to ensure that steps are adopted to forestall the repetition of past abuses (Sarkin, 1999). Section 27 of the Constitution is instructive in this regard.<sup>3</sup> The

<sup>1</sup> See article 8 of the 2001 Constitution of Senegal; articles 40 & 41 of 2010 Constitution of Rwanda; article 12 of the 2010 Constitution of Niger; articles 19 & 35 of the 2010 Constitution of Madagascar; article 43 of the Constitution of Kenya; articles 10 & 38 of the 2016 Constitution of Côte d'Ivoire; articles 59 to 63 of the 2015 Constitution of Dominican Republic; articles 47 to 48 of the 2005 Constitution of the Democratic Republic of the Congo; article 81 of the Constitution of Angola; article 19 of the Interim Constitution of Sudan; articles 22 and 25 of the 2012 Constitution of Syria ; article 38 and 39 of the 2014 Constitution of Tunisia; article 38 of the 2013 Constitution of Vietnam.

<sup>2</sup> These include the 1788 United States Constitution, 1814 Norway Constitution, 1831 Belgium Constitution, 1849 Denmark Constitution, 1853 Argentina Constitution, 1868 Luxembourg Constitution and 1875 Constitution of Tonga.

<sup>3</sup> Section 27 of the Constitution states that (1) Everyone has the right to have access to—

(a) health care services, including reproductive health care;

lingering legacy of the past is reflective in the unrivalled position which the RTF enjoys in the instrument, which invariably could be linked to the mass starvation which millions of Africans were subjected to as a result of the apartheid's oppressive socioeconomic legislations.

Verily, when compared to its contemporaries, the 1996 Constitution arguably provides one of the most overarching guarantees for food security. But the question is: does the RTF belong in a legal instrument? Put in another way, should food security be entrenched in a democratic constitution? Does this right hinder or consolidate democracy, and if accepted and guaranteed, what role does the judiciary have in ensuring its compliance? The objective of this chapter is to demonstrate that the inclusion of this right in a legal instrument holds the prospect of ensuring that key government structures do not sidestep this important entitlement in their daily deliberations.

### Why the Right to Food?

The debate as to whether food security belongs in a legal document has been raging for decades in both the Global North and South (Joy, 1973; Marks, 1981; Tomasevski, 1984; Eide and Oshaug, 1991). Admittedly, eighteenth- and nineteenth-century constitutions bypassed social rights, and rather focused on civil rights such as the sanctity of home, right to property, religious liberty and freedom, while neglecting rights linked to access to adequate food (Van Leeuwen, 1994). Defenders of this approach argue that a constitution is, if broadly construed, a tower of liberty or a wall which protects people from state intrusion (Marks 1981; Wellman 2000). In this sense, since the RTF is a positive right and all socioeconomic rights call for state intervention, its inclusion in the constitution will defeat that cardinal protective role of the instrument.<sup>4</sup> To this camp, the exclusion is justifiable as the role of a constitution is not to promote a positive

- (b) sufficient food and water; and
- (c) social security, including, if they are unable to support themselves and their dependants, appropriate social assistance.

- 2) The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights.
- 3) No one may be refused emergency medical treatment.

<sup>4</sup> Positive rights include rights which oblige the state to provide some benefit to the rights holder. They are mainly social and economic rights such as access to

right, but rather to safeguard negative rights.<sup>5</sup> They add that legal guarantees should not be perceived as individual entitlements to be fulfilled by the government, but as group or individual safeguards against hostile state agencies.

These assertions may, however, attract counterarguments, two of which are worth highlighting. The first objection is that, akin to positive rights, negative rights, including property rights, press freedom and a fair trial equally require state intervention. Like the RTF, all negative rights are accompanied by budgets and/or a yearly allocation of funds drawn from taxes to ensure the realisation of most, if not all. For instance, to forestall threat to the life and security of persons, there is the need to establish an efficient and well-armed security agency; or, in the case of election, a comprehensive budgetary allocation for polling stations, ballot papers and remuneration of voting officers. It was in this context that the Constitutional Court in handing down its decision in 1996, mooted that several rights, like the often-termed negative rights equally impose financial burden on tax payers without jeopardising the legitimacy of the Constitution (*Certification of the Constitution, 1996*). Hence, negative rights in all shapes and forms are indeed positive rights as they call for state action or intrusion into the spheres of individual private life. In any case, the oppressive nature of state power is not limited to the wrongful detention and execution of innocent civilians, but extends to creating harsh socioeconomic conditions which negatively impact on their livelihood, mainly through (hyper)inflation, abuse of state resources and high food prices. Safeguarding a country's economy against these ills might be considered as the key factors needed to fortify the foundation for citizens' self-sufficiency and autonomy as opposed to over reliance on state welfare systems for sustenance. The second relates to an argument often advanced against first generation rights. It flows from a legal argument that if the cardinal focus of the constitution is to consolidate democracy and foster rights of citizens, then it might be difficult to

adequate water, housing, employment, fair wages, sanitation, education, health care, social security, food and electricity.

<sup>5</sup> Negative rights imposes an obligation on the state or third parties to refrain from actions which might interfere with the enjoyment of one's basic rights. Rights within this category consist of civil and political rights such as freedom from slavery, a fair trial, right to vote, habeas corpus, freedom from torture, freedom of religion, freedom from violent crime, private property, life and freedom of speech.

isolate positive from negative rights. Indeed, one's right to private property is closely tied to democracy. Individuals cannot have the autonomy or security which comes with the status of citizenship if their assets are constantly prone to, or subjected to, unlawful expropriation by the state. Rather than being perceived as safeguarding the interest of the affluent, property rights should be seen in light of consolidating democracy itself. This principle could equally be applied in the case of minimal safeguards against extreme deprivations such as food insecurity. For instance, in order for individuals to be able to consider themselves, or act as, citizens, they must have the kind of independence which this minimal safeguard provides.

However, as a constitution does not always safeguard every interest or right in a just or democratic society, perhaps one ought to place one's trust in ordinary politics as the means of obtaining access to food.<sup>6</sup> If we have to take this position, then it follows that constitutional guarantees might not be needed after all, as politics can guarantee one's food security. But this triggers a hard question: Why then do some democratic and progressive regimes entrench the RTF in their constitutions? The simple response is that most of these provisions are used as smokescreens to appeal to the poor. With this section of the population lacking political power, there is likelihood that the RTF may run a risk of being sidelined in a democratic regime, especially in sub-Saharan Africa where the right to sustenance is not jealously guarded but downgraded.

Worth noting that proponents of negative rights further affirm that the RTF is beyond the capacities of democratic institutions such as courts to enforce them. To these observers, (quasi)judicial bodies, in most cases, lack the technical skills to oversee budget-setting priorities, as judges do not possess the managerial requirements to adjudicate on issues relating to food security, and any attempt to enforce this guarantee might bring the entire constitutional enterprise into disrepute (Christiansen, 2007; Govindjee, 2013).<sup>7</sup> One prevailing argument of

<sup>6</sup> Key examples of rights rarely protected by constitutions are freedom from poverty, access to adequate food and employment.

<sup>7</sup> The connotation (quasi)judicial bodies implies state agencies with the full and/or partial judicial adjudicative features by possession of the right to conduct investigations into and hold hearings on disputed claims. In the context of South Africa, these include courts and [Chapter 9](#) institutions such as the South African Human Rights Commission and Commission on Gender Equality.

policymakers is that when a government is unable to provide social grants or food parcels for every hungry citizen, perhaps it is because it is constructing a bridge, or subsidising tertiary education or supplying textbooks to high school students (Howard, 1983). With that in mind, a striking inquiry which arises is, can judges make value judgements on a state's (non)compliance with its food security obligation?

The role of judges in ensuring government accountability on socio-economic rights, including the RTF, has occupied centre stage in many academic discourses (Dixon, 2007; Pieterse, 2007). Unlike other arms of government which are directly accountable to their electorates, members of the judiciary are seen as lacking (political) legitimacy to be directly involved in decision-making and resource allocation. Accordingly, undue involvement of courts in public administration, sometimes classified as rule by judges or 'dikastocracy', is perceived as a threat to democracy, as they are neither subject to scrutiny nor answerable to anyone (Heyns, 1999).

One need to hardly point out that a judge's attempt to enforce the RTF may appear to forestall or prevent citizen participation in essential democratic matters, as it might undermine the reasoning or capacity of ordinary people to decide on their preferred cause of action or type of social policy to pursue. Admittedly, even though aspects of this argument can be linked to positive rights, the RTF seems contentious as it places judges in the somewhat awkward position of overseeing complex and far-reaching bureaucratic institutions. To some, there are two angles to overcoming RTF versus institutional challenges: (i) states could guarantee RTF but it could be strictly enforced by parliamentarians and not judges; or (ii) RTF should be completely eliminated from legal documents (Davis, 2008; Michelman, 2008). Like several other African constitutions, the 1995 Constitution of Uganda, 1996 Constitution of Ghana and 1999 Constitution of Nigeria adopt the latter approach. By excluding judicial involvement in socioeconomic affairs, these documents contain legally non-justiciable or non-enforceable directive principles of state policy (DPSP) which entreat parliament to monitor the steps adopted by the state to ensure the realisation of the right to education, food, good health care, work and healthy economy. Clearly, this classification has the merit of sparing judges from being saddled with the herculean task of monitoring complex bureaucratic operations or social interventions. However, there are three striking disadvantages worth mentioning. First, the non-justiciability of the

RTF in the instruments threatens the livelihood of millions as there is no form of social welfare or security in these countries which could cushion vulnerable groups, mainly the disabled, women, children and the aged. Second, its exclusion eliminates the judiciary from the process of providing an oversight role to ensure the state complies with its legal obligation of promoting the wellbeing of its citizens. Third, the relegation of judges in this context implies that the state will be complacent in fulfilling its obligation to the deprived, specifically as members of the executive in most cases double as members of parliament. In light of these constraints, the [next section](#) turns to assess how the RTF is being enforced in a regime which has entrenched it in the constitution, and by extension made it justiciable. But before that, an assessment of international and regional human rights instruments which guarantee citizens' RTF suffices.

### Food Security Instruments: From Global to Local

Although the promotion of the RTF as a justiciable right in international and regional document dates back to the 1966 *International Covenant on Economic, Social and Cultural Rights* (ICESCR), its protection at the national level is contemporary. Indeed, the ICESCR, a groundbreaking socioeconomic instrument, recognises in section 11(1) the continuous improvement of living conditions of everyone, especially their food security.<sup>8</sup> In light of this, while its inclusion in the 1996 Constitution was shaped by the jurisprudence of other countries, the legal safeguards of the RTF could be largely traced to international instruments (Nkrumah, 2019). Besides the ICESCR, other relevant documents with strong emphasis on food security are the 1948 *Universal Declaration on Human Rights* (art 25(1)), 1979 *Convention on the Elimination of All Forms of Discrimination Against Women* (art 12(2)), 1981 *African Charter on Human and Peoples' Rights* (*SERAC v Nigeria*, para 47); 1989 *Convention on the Rights of the Child* (art 24(2)(c)), 2003 *Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa* (art 15), and 1990 *African Charter on the Rights and Welfare of*

<sup>8</sup> The exact wording of this provision is that the ICESCR 'recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions'.

*the Child* (art 14 (2)(c). With South Africa being a party to all these instruments, they do not only seek to give teeth to the RTF and other socioeconomic rights, but rally the support of the international community for acknowledgement of these rights at the domestic level.

The treaty body responsible for ensuring compliance with food security provision in the ICESCR is the Committee on Economic, Social and Cultural Rights (CESCR). To monitor state compliance, it receives regular reports or submissions from member states on the steps taken or not taken to alleviate hunger. The Committee further receives shadow or alternative reports from civil society organisations (CSOs) which are then used for the overall assessment of states' performance in this domain. In doing this, it has issued a plethora of General Comments which are exceedingly influential in the interpretation and operationalisation of food security. On a more practical level, the Committee observed in its *General Comment No. 12* that although the RTF is enshrined in several international instruments, there is a widening gap between its legal protection (in the constitution) and actual implementation, especially in light of large-scale hunger (CESCR, 1999). It, therefore, concluded that besides good governance, the construction and operationalisation of national food security strategies are essential in eliminating hunger and ensuring adequate living standards for every citizen. The chapter now takes a look at how this right is being safeguarded at the national level, with specific emphasis on South Africa as the country's constitution has been recognised as one of the most progressive globally (Nkrumah, 2018).

### The Pacesetter: South Africa and RTF

Before its subsequent codification in the 1996 Constitution, the notion of access to food as a human right was intensely debated during the drafting stage of this document. Akin to other socioeconomic rights, whereas conservatives campaigned against its guarantee, liberals advocated for its inclusion, with neutral advocates in between (Sarkin, 1998a). The striking aspect of the arguments from the two opposing camps centred on whether the legitimacy of the constitution might be compromised by the inclusion of the RTF. The conservatives argued that if the state, saddled by inadequate resources, is unable to meet its obligation of providing adequate food for its citizens, the entire Bill of Rights might be questioned since it failed to fulfil one right within its

bracket (Sachs, 1996). The reasoning is that if the state is capable of violating one right, it may do the same to others. In other words, a violation of the RTF may be followed by subsequent non-compliance of economic/social and civil/political rights. This group of negotiators could be classified as *traditionalist* as they seek to maintain the status quo or ensure that things do not deteriorate. Drawing inspiration from the English Constitution, Armitage (2000) notes that the primary objective of this camp is to preserve the legal order by maintaining existing norms or practices. In sum, the central argument of the conservatives was that rights impose corresponding obligations, hence the legitimacy of the Constitution will be compromised if not eroded when it makes too many promises and yet it is incapable of fulfilling them.

The thoughts of the liberals, on the contrary, were greatly shaped by the provisions of the ICESCR and other international instruments which advocate for equal recognition of civil/political (first generation) rights and social/economic (second generation) rights.<sup>9</sup> They argued that it is meaningless to inform citizens that they have first generation rights if their RTF cannot be guaranteed. The legitimacy of the Constitution was seen as being run to the ground since the majority of citizens may perceive it as a superficial document which fails to capture their basic needs, especially in light of widespread poverty and starvation. They averred that an exclusion of a basic need such as food runs the risk of triggering discontent in poor black communities whose pressing needs have been ignored by the elite lawmakers whom they galvanise for their liberation and release from prison. Thus, the prospects of *ikasi* (township) residents' rebelling against their struggle stalwarts was instructive. Negotiators in this camp can be seen as *progressives*, as they aim at revolutionising conventional norms and practices. They also seek to transform the constitution by setting new standards which are clearly seen as challenging deep-rooted norms or practices.

A disproportionate aspect of the debate centred around the role of the courts, particularly on the question of judges' (in)capacities to adjudicate on key socioeconomic rights, including food security issues. To some cynics, rather than meddling in bureaucratic quandaries and issues of economic and social (in)justices, judges should (like their

<sup>9</sup> South Africa recently ratified the ICESCR on 12 January 2015.



African contemporaries) be mandated to focus only on adjudicating civil and political niceties, while the National Assembly (elected by and directly answerable to the people) exercise complete control over budgetary issues. Given that the sovereignty of the people has not been vested in judges (through elections), the primary question was what amount of power courts should exercise in the allocation of state resources, including towards food security?

Going forward, negotiators were presented with four possible options on the question of food security: (i) following the precedence of the American Constitution and completely excluding RTF from the final document; (ii) drawing inspiration from the region and framing it as DPSP; (iii) codifying it but with clawback or conditional clauses; and finally (iv) entirely recognising it as a justiciable right under the Bill of Rights. Since the mandate of the negotiators was simply to ensure smooth transition from apartheid to democracy, the country's 1993 *Interim Constitution* adopted a minimalist approach.<sup>10</sup> The framers of the instrument only codified conventional (first generation) rights in the Bill of Rights while leaving out contentious issues like the RTF to be debated by the forthcoming fully constituted democratic National Assembly. To be exact, besides the overarching civil/political rights, the few food-security-related rights in the Interim Constitution were the (i) right of detained persons to food (section 25(1)(b)); (ii) rights of workers to fair labour practices (section 27); and (iii) right of children to basic nutrition (section 30(1)(c)). Invariably, the urgency for food security was indisputable as it was perceived as an embodiment of the overall aspiration of the new Constitution. In other words, it was the blueprint for overcoming the legacy of apartheid or poor living conditions of blacks (Sachs, 1997).

A great deal of the final 1996 Constitution was spent uprooting the root and branches of apartheid (Klug, 1996). It begins with a Preamble which reflects on the historic human rights violations and proceeds to elaborate on the state's aspiration of ensuring basic livelihood, social justice and democratic values. This is followed by the Bill of Rights which encompasses an overarching civil/political right, RTF alongside other economic/social rights. The very inclusion of the RTF in the Bill of Rights provides a clear indication that food security is an essential component of the notion of fundamental rights. In underscoring the

<sup>10</sup> Adopted on 27 April 1994 and repealed on 4 April 1997.

indivisibility and interdependence of the different categories of first/second generation rights, the RTF was interspersed between other civil/political rights and not set out under a separate heading such as social/economic rights. In so doing, the protection of the RTF and others, including water, health care, education, electricity and housing, was to forestall regimes from repeating mistakes made in the past, especially where black communities were plunged into starvation due to mistaken and myopic decisions in the past. In echoing this concern, [Mandela \(1991\)](#); own emphasis) bemoaned that

[a] simple vote, *without food*, shelter and health care is to use first generation rights as a smokescreen to obscure the deep underlying forces which dehumanize people. It is to create an appearance of equality and justice, which by implication socioeconomic inequality is entrenched. We do not want freedom *without bread*, nor do we want bread without freedom. We must provide for all the fundamental rights and freedoms associated with a democratic society.

To the Nobel laureate, the right to political participation or free speech makes little sense to a woman who can afford neither grain nor bread for her family. The dilemma regarding the codification of food security was finally addressed by parliament when it concurred that akin to other civil/political rights, food security deserves to be codified as a full-fledged right in the Bill of Rights ([Brand, 2002](#)).

The process of codifying the RTF could be classified as *norm setting*. Nonetheless, in order to pacify the conservatives, the framers of the Constitution limited the duty imposed on the state in this regard by qualifying or subjecting the enjoyment of this right to a clawback clause. In a specific recognition of limited resources, section 27(1)(b) proceeds to indicate that ‘everyone has the right to sufficient food’. In acknowledgement of the state’s ‘available resources’, the RTF as listed is, therefore, justiciable and subject to judicial protection in light of the binding nature of the Bill of Rights.

Admittedly, the explicit inclusion of the RTF, along with a plethora of other transformative socioeconomic rights, makes this Constitution one of the most robust and forward-looking constitutions in contemporary times.<sup>11</sup> Needless to say, a constitutional guarantee in the form of section 27 clearly creates judicial enforcement, as it mandates judges

<sup>11</sup> Other rights within this section include access to health-care services, housing, water and social security.

to monitor the compliance of the executive to achieve the progressive realisation of RTF for everyone. The government could then be held accountable for breaching the Bill of Rights if it has the funds to ensure food security yet fails to provide intervention for this purpose.

The ultimate inclusion of RTF carries with it both general/group interests, for the protection of community or household food needs and private/individual interests. In this vein, there are a plethora of provisions within the Constitution relevant for the interpretation and enforcement of the RTF in the Bill of Rights. One striking provision worth citing is section 7(2) which places an obligation on the state to '*fulfil, promote, protect and respect*' people's access to food (own emphasis). The phrase, however, introduces considerable ambiguity as the document does not make entirely clear what these terms mean.

As discussed elsewhere, although section 27(2) of the Constitution may seem like a barrier towards the judicial interpretation of the RTF, recent developments in (inter)national jurisprudence may provide some leverage (*Grootboom*; *SERAC v Nigeria*; *Soobramoney*; *TAC*). In layman's terms, the first three responsibilities in section 7(2) oblige the state to ensure that its citizens are adequately fed by providing the means for them to obtain food. This could be done by either creating jobs, providing skills and training as a means of being self-employed or providing direct welfare in the form of food parcels or cash grants or land for people to farm.

Drawing from the *Maastricht Guidelines* (UoM, 1997), the duty to *fulfil* implies the positive duty of the government to ensure everyone has access to sufficient food. In this instance, it has an obligation to ensure that the bearers of this right afford basic foodstuffs in the market through price regulation, subsidising the price of basic agricultural produce or removing taxes on such products. The duty to *promote* also imposes a positive duty on the government to disseminate information in order to ensure that citizens are well informed of their RTF. The obligation to *protect* imposes a positive obligation on the state to safeguard citizens from undue interference by (non)state actors or third parties, or provide effective reparation when this occurs. The duty to *respect* implies a negative duty on the government to refrain from any act which might hinder people's existing enjoyment of their food security. A classic instance is where the state denies farmers' access to food by destroying their crops or evicting them from their farmland for infrastructural development. Take as an example, whereas the RTF is

not guaranteed in Nigeria's Constitution, the African Commission on Human and People's Rights found Nigerian in violation of this right after its security forces killed farm animals, destroyed crops and created a state of terror which made it impossible for local villagers to return to their farms and livestock (*Serac v Nigeria*).

Another important provision worth citing is section 8(2) of the Constitution which stipulates that the RTF places an obligation not only on the state, but also on private entities. This may be seen as having both horizontal (in terms of the interrelationship between non-state actors) and vertical (interrelation between the state and private actors) applications. Ironically, in the several instances of socio-economic jurisprudence handed down by the Constitutional Court, the exact inference of this contentious provision has not been clearly articulated (see the *TAC*, *Grootboom* and *Soobramoney* cases).

As discussed, section 27(1)(b) proscribes food price rigging, cartels or unreasonable increase in food products. It is worth noting that besides the limitation clause in section 27(2) which states that government must take steps 'within its available resources' to combat hunger, the fulfilment of food security is further subjected to a clawback clause in section 36 which avers that the RTF could be limited if such a limitation is justifiable and reasonable. In this context, an argument advanced for channelling state resources for countering terrorism or upgrading infrastructure rather than food security may be construed as unreasonable. Naturally, these standard qualifications in sections 27 and 36 imply that the state is obliged to simply ensure *access* (instead of direct right) to food, by (i) *taking legislative and other steps*; (ii) *based on available resources*; (iii) towards the *progressive realisation* of food security. Taking into account the fact that the ICESCR greatly influenced the wording of section 27(1)(b), international jurisprudence could provide some useful insight into the exact meaning of the three phrases.

It is important to underscore that framing food security as an *access* right does not guarantee free food on demand or warrant absolute entitlement to food. Simply put, *access* could be perceived as placing emphasis on providing sustainable environment for food production or acquisition instead of direct supply. Yet, the internal qualification of RTF or *access* as a *means* to an end in the Constitution clearly deviates from the food security provisions in international instruments such as the ICESCR where the right is listed in a direct form. Accordingly, the

clear distinction between the ICESCR and the Constitution in this area is whether a person can thrive and have adequate food (either through production or acquisition) when provided with the needed or enabling environment.

With the exception of extreme circumstances, the primary obligation of states is to promote self-sufficiency by creating the kind of environment essential for individuals to acquire their own food without unduly depending on the government. In this context, the state's primary duty is to ensure that (i) farmers have access to lands and farming equipment; (ii) there is adequate and reasonably priced food at the market; and (iii) people have a source of income or gainful employment. The state's failure to provide these interventions in a timely manner may trigger 'extreme circumstances': destitution, malnutrition or famishment.

It suffices to indicate that article 2(1) of the ICESCR, which adds a caveat to the state's RTF obligation, is reflective of section 27(2) of the Constitution. While the former calls on states to adopt 'legislative and other appropriate means' towards the attainment of food security, the latter echoes a similar sentiment by calling on the government to adopt 'reasonable legislative and other measures' to ensure that citizens have access to sufficient food. The CESCR, however, cautions that the construction of such legislative framework alone is not sufficient grounds for fulfilling this obligation, even though they are usually necessary and highly preferable. To this end, the emphasis on the adoption of *other appropriate means* under the ICESCR and *other measures* under the Constitution may be seen as encompassing a plethora of interventions which may include social security programs, free tertiary education, provision of land and financial assistance for small-scale farmers, good roads for transportation of farm produce, job creation and judicial remedies for hunger victims.

Moreover, the qualification clause under article 2(1) of the ICESCR which subjects the enjoyment of food security to a state party's *available resources* is replicated in section 27(2) of the Constitution. In shedding light on the importance of this qualification, the CESCR (1990) argues that its purpose is to safeguard the state from assuming responsibilities beyond its capacity. It, however, warns that states should not hide behind this curtain and overlook the deprivation of its citizens, but rather adopt all required steps since food insecurity is a matter of urgency (CESCR, 1990).

The final caveat of the ICESCR calling for the ‘progressive realisation’ of food security under article 2 is duplicated in section 27(2) of the Constitution. According to the CESCR (1999), this provision is entrenched to indicate that food security as a concept could only be attained over time, given that feeding is a continuous process and not something to be accomplished momentarily. Yet, the state must not use this as a veil to postpone the fulfilment of its obligation. To the Committee, states need to adopt practical measures to meet the dietary needs of people, while framing interventions to address future needs. For that reason, a state would need to provide substantive justification for its failure to adopt adequate measures to enhance household/individual access to food, or any attempt aimed at removing or limiting people’s access to food. It added that even if food security is a continuous process, the state must at least fulfil the urgent need of the most desperate citizens, which could be perceived as the minimum core obligation of the RTF.

On that account, whereas food security is seen as progressive, any failure to provide for a desperate group may constitute a clear violation of section 27(1)(b). This, according to the Constitutional Court, is termed the *minimum core obligations* (*Grootboom*, para 29). Yet, in the *Grootboom* case, the Constitutional Court mooted that one of its challenges in determining a violation of the minimum core obligation is that a great deal of information would have to be submitted to it before a decision could be reached on the right in question. In sum, the CESCR (1990) concluded that even though the ICESCR provides leeway for states to cite insufficient resources as the reason for non-fulfilment of a particular right, they must, at the very least, satisfy the minimum basic levels of all rights.

For purposes of convenience, the state’s duties can be classified under two broad headings: (i) internally qualified rights or application of clawback clause; and (ii) priority obligations or non-application of clawback clauses. It could be said that food security falls under the first bracket and be likened to the right to health care, which also falls within the bracket of section 27. In interpreting this particular provision, the Constitutional Court reiterated that claims for positive rights ought to be considered in light of the general needs of the society as these rights often relate to fair distribution of limited resources (Soobramoney). The Court further observed that decisions relating to the operationalisation of section 27 do not lie with courts, but with

service providers and political organs (*Soobramoney*). That being the case, it added that its main duty was to assess the policies and decisions adopted by these bodies to operationalise the Bill of Rights, and it would, to this end, give special consideration to their (non)compliance. It concluded by asserting that the state had adequately demonstrated its lacks of resources to provide such assistance to the applicant and all patients in similar condition. It concurred with the state that the few interventions provided to a select number of patients had been operationalised in good faith, and that the patient's application had no merit. Suffice to say that food security and related positive rights under the Bill of Rights could have imposed direct obligation on the state to provide immediate intervention had the framers of the Constitution excluded the limitation clause.

Yet, the RTF attains the status of priority obligation in two sections of the Constitution. The first is section 28(1)(c) which enshrines the right of children to basic nutrition without attaching any limitation clause. In this context, children's RTF is not subjected to the usual clause of 'available resources' or 'progressive realisation', but rather imposes immediate and direct responsibility on the state to provide children with food. The second is section 35(2), which guarantees that every sentenced prisoner and detainee has the right to 'adequate accommodation, *nutrition*' and other necessities that are consistent with human dignity. It emphasises that the provision of food to prisoners must be at the expense of the state. Food security in this context does not simply impose a negative duty allowing a detainee to seek for her/his own food, but rather a positive duty on the state to provide food of a certain quality to every detainee. In expatiating on section 35, the Western Cape High Court mooted that detainees are actually entitled to higher thresholds of needs, and thus, the question of 'adequacy' should not be measured in terms of existing practices outside the prison walls (see *Van Biljon v MCS*). Other rights which are relevant for the realisation of food security, especially in terms of having the entitlement or means to access food in the market, relates to labour relations rights under section 23. These include (i) the right of employees to participate in collective bargaining; (ii) right of employees to form and join trade unions; (iii) the right of workers to strike and engage in collective activities; and (iv) fair labour practices.

Two important types of mechanisms – the *soft* monitoring mandate of the South African Human Rights Commission (SAHRC) and the

*hard* enforcement mandate of courts – were mandated to monitor the state's compliance with its obligation. The role of the (quasi)judicial bodies can be termed as *norm enforcement*. Judicial mandate over food access is relevant in a country like South Africa which is riddled with large-scale poverty and inequality. Drawing from the text of the Bill of Rights, one could discern that the obligation for the promotion of food security lies with the two elected arms of government, the executive and legislative, with the judiciary playing a monitoring role in this arena. The Constitutional Court has, through the several socioeconomic cases, reasserted its mandate to monitor the operations of the other branches of government to ensure that they comply with their obligations (*Certification of the Constitution, 1996*: para 78). As a result, it could be said that the Court seems to play an activist role, like the Indian Supreme Court towards the judicial enforcement of socioeconomic rights. By way of illustration, the Constitutional Court was emphatic when it added a caveat that second generation rights must be safeguarded from unwarranted invasion (*Soobramoney*). It appears that the import of this ruling is the implication that judicial enforcement would apply only in cases where food security is threatened by the state or a third party through illegal eviction from farmland or restrictions of a water source for animals or irrigation purposes. Yet, if this is the actual reading of the ruling, then this could be seen as very narrow interpretation of the mandate of judges in promoting food security. But even if one could not precisely measure the powers of the judiciary in this domain, drawing from existing socioeconomic case law, one could argue that judges have the mandate to adjudicate on cases relating to excessive food prices, discrimination in the allocation of lands for farming or poor wages. To this end, the hungry or third parties acting in the interest of the poor can (in)directly invoke section 27 and ask for remedies for violation of their basic right.

There are two channels through which (quasi)judicial mechanisms could advance food security. The first is through a direct application to the courts that a violation of citizens' RTF is imminent or occurring or has occurred. An illustration of this breach may be seen to occur where food prices are unchecked and/or price spike prevents ordinary citizens from accessing staple food such as bread and milk for sustenance. Drawing from a series of socioeconomic rights adjudicated, it is evident that the Constitutional Court and its subsidiaries will be inclined to entertain cases which broach positive duties such as food security, with



possible financial compensation against the government (Nkrumah, 2019).<sup>12</sup> Even though in *Soobramoney*, the Court declined the request of the applicant, it added a caveat that the application had a prospect of being awarded remedies had it being filed on the basis of right to health under section 27(1)(a) as opposed to emergency care under section 27(3).<sup>13</sup> This provides an indication that the RTF (also a qualified right under this same provision) might be successful if filed on grounds of non-compliance on the basis of prevalent hunger. The second falls within the arena of institutions mandated to support constitutional democracy. The relevant institution within this sphere is the SAHRC which is obliged by section 184 of the Constitution to enhance the realisation of food security and other interrelated rights. Section 184(1)(c) specifically mandates the Commission to police the implementation of measures for the realisation of food security, and it may pursue this end through monitoring, assessing and reporting on the observance of human rights in the state.

While the courts' enforcement role in this domain could be seen as a *hard* safeguard, particularly as its decisions are binding, the SAHRC's role could be seen as a *soft* safeguard as it merely makes non-binding recommendations (Nkrumah, 2016). The latter, however, has an important role to play in promoting food security, especially through section 184(3) of the Constitution which establishes that relevant government departments are obliged to furnish the SAHRC with yearly information regarding the measures taken to enhance food security. A classic illustration of this monitoring role of the SAHRC is akin to that of treaty monitoring bodies such as the (i) African Commission on Human and People's Rights under article 62 African Charter on Human and People's Rights; (ii) African Committee on the Rights and Welfare of the Child under article 43 of the African Charter on the Rights and Welfare of the Child; and (iii) CESCR under article 16 of

<sup>12</sup> As discussed elsewhere, the Treatment Action Campaign provides a blueprint on the arguments and strategies to be used in the drafting and filling of application for food security.

<sup>13</sup> The case was filed by a 41-year-old diabetic man in need of renal dialysis. The court turned down the application on grounds that available resources need to be allocated in a rational manner as the state lacks sufficient economic resources to provide sophisticated healthcare to all those in need of such services. Section 27(3) of the Constitution guarantees that '[n]o one may be refused emergency medical treatment' while the applicant's condition was not emergent but chronic.

the ICESCR to receive and consider measures taken by state parties to realise the RTF and other socioeconomic rights. The core objective of these reporting mechanisms is to reaffirm and remind state parties of their obligations in terms of (among others) the RTF. In the process of assessing reports of state parties, the concerned state is entreated to introspect on how it has performed towards improving the living standards of its people.

Yet, the domestic reporting mechanism of the SAHRC, while distinctive as it operates at the national level, performs a similar role as its construction was modelled on the framework of regional and international institutions. It, therefore, reminds the state of its commitment to enhance food security by assessing relevant state agencies' reports on measures adopted to promote food security. If the SAHRC eventually decides to closely follow the norms and practices of its international predecessors, then CSOs will be allowed to submit independent reports on the RTF which will then be considered concurrently with those once presented by government departments. The SAHRC will then be able to carefully consider, prepare and submit an impartial report to parliament (for further checks on the executive) or as a basis for filing public interest litigation (PIL) against the state.

Ultimately, an objective assessment by the Commission will trigger productive engagement on the way forward between the SAHRC, courts, the public and their representatives (Ntlama, 2004). However, since the courts have not had an opportunity to consider a food security case, one can draw from a housing-related case in order to measure the success or otherwise of a potential RTF application. The closest example in this domain is the celebrated Constitutional Court case *Grootboom*. Four golden threads run through South Africa's food insecurity and housing shortage. First, they have their roots in backward apartheid policies, which relegated natives from productive lands to infertile settlements in the 'Bantustan' or former homeland (Ntlama 2004). Second, the two needs are recognised as human rights in the 1996 constitution. Third, both rights are subject to the same limitation clause of 'progressive realisation' and 'availability of state resources'. Finally, they share similar (quasi)judicial or monitoring institutions, namely the SAHRC and the courts. Akin to the RTF under section 27(1)(b), the text of section 26(1)(2) provides that the state must adopt reasonable legislative and other measures to achieve the progressive realisation of the right to adequate housing for everyone, but *subject to*

available resources.<sup>14</sup> The next section, therefore, takes a look at this case in order to measure the prospect of food security PIL in light of the widespread hunger in contemporary South Africa.

### **Grootboom and Housing Adjudication**

In order to appreciate the extent of food insecurity, homelessness and related social injustices, one must first appreciate the legacies of apartheid in contemporary South Africa. To many observers, the apartheid system is directly responsible for the current state of hunger, especially as it deprived millions access to farming, education and jobs as a means of accessing commercial food in the market (Baldwin-Ragaven *et al.*, 2000). A key weapon used by this regime was that of influx control machinery which curbed the occupation of urban lands by blacks (Sarkin, 1998b). Subsequently, a disproportionate percentage of blacks resettled in informal settlements composed of shanties, shacks or emigrated to the fringes of urban centres in order to search for menial jobs in city centres.

Accordingly, by the mid-1990s, the failure of the post-apartheid regime to provide housing to cater for the rising number of black Africans coupled with the mass influx of natives into urban centres created an acute housing shortage (Hunter and Posel, 2012). As a response to this crisis, (sub)national governments adopted a plethora of legislations following the country's negotiated transition into democracy.<sup>15</sup> Despite the noble ambitions of these policies, several households still do not have access to decent housing in contemporary South Africa. To some observers, the ineffective operationalisation of these policies has exacerbated structural violence, heightened the risk of female sexual abuse and the HIV/AIDS pandemic which consumes a greater percentage of the state's limited resources (Surender *et al.*,

<sup>14</sup> Section 26 (1) Everyone has the right to have access to adequate housing. (2) The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right. (3) No one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions.

<sup>15</sup> The instruments include, among others, the Provision of Land and Assistance Act (Act 126 of 1993), Restitution of Land Rights Act (Act 22 of 1994), Land Reform (Labour Tenants) Act (Act 3 of 1996), Extension of Security of Tenure Act (Act 62 of 1997).

2010). It was in this context that a number of households from informal housing settlement in Wallacedene put in a number of applications to the state's housing programme, officially termed as Reconstruction and Development Programme (RDP) and Cape Town's municipal subsidised housing (Wesson, 2004). Suffice to say these applicants remained on the waiting list for several years. Frustrated by the poor service delivery in this location, such as lack of access to electricity, water and sanitation, residents resettled on land demarcated for private accommodation construction. Having obtained an eviction order, the landowner demolished and, in some cases, burnt down the homes and properties of many. They subsequently relocated, (re)constructed and resided in a plastic structure on a sports field in Wallacedene. Dissatisfied by their inhumane condition, 900 of these residents, including 510 children, from Wallacedene filed an application with the Cape of Good Hope High Court alleging a violation of their right to housing and lack of access to service delivery (*Grootboom*, fn 2). One of the residents and main applicant, Irene Grootboom, resided with her family in a shack of approximately twenty square metres, which to a greater extent questions whether politicians have been able to deliver the fruits of democracy promised during the liberation struggle (*Grootboom*, para 7).

The application was filed on two grounds. First, on section 26, which avows citizens' right to adequate housing (based on the availability of state resources) and from arbitrary eviction. Second, section 28 which guarantees the right of children to family care, basic nutrition and shelter. It is important to underscore some issues.<sup>16</sup> First, the right of citizens against arbitrary eviction under section 26(3) imposes a negative duty not only on the state, but on non-state actors as well. It implies that without the requisite court order, it will be a *prima facie*

<sup>16</sup> 28. (1) (a) to a name and a nationality from birth;  
 (b) to family care or parental care, or to appropriate alternative care when removed from the family environment;  
 (c) to basic nutrition, shelter, basic health care services and social services;  
 (d) to be protected from maltreatment, neglect, abuse or degradation;  
 (e) to be protected from exploitative labour practices;  
 (f) not to be required or permitted to perform work or provide services that –  
 (i) are inappropriate for a person of that child's age; or  
 (ii) place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development.

violation of citizens' right if a private landlord forcibly evicts or demolishes the property of another. This is a landmark provision especially from a constitutional standpoint, given that constitutions rarely place negative obligations on third parties. Again, the provision triggers other striking features, especially from a socioeconomic perspective. While it seeks to help people live in decent apartments, the guaranteeing of right to property based on one's continued occupancy might stimulate some negative or unintended ramifications. For illustrative purposes, knowing that it will be cumbersome to terminate a tenancy or evict an unruly tenant, there might be diminished stock of private residential housing as private actors might, in the first instance, be disinterested in the provision of housing. Also, as has become the norm in contemporary South Africa, one could argue that this provision has somewhat contributed to the rigorous screening processes which potential tenants are subjected to before being granted accommodation by their landlords (Marais and Wessels, 2005). As a consequence, one could safely argue that besides hunger, one major social injustice currently confronting millions is insufficient access to affordable housing (Del Mistro and Hensher, 2009).

Reverting to the case, the second arm of the application, which draws on the overlap between children's rights and housing is equally noteworthy. For whereas the latter in section 26 is qualified or subjected to available resources and progressive realisation, children's rights under section 28 are unqualified or not subject to the discretion of the state. Without any limitation clause in section 28, it is obvious that children are guaranteed access to relevant social goods or largesse irrespective of the financial position of the state. On the basis of constitutional interpretation, this implies that the state is absolutely obliged to provide social services, health care, housing and food/nutrition to children even if the state is facing economic crisis. As to whether this constitutional interpretation is correct remains the task of the next paragraph.

In stark contrast to the previous textual reading, the Constitutional Court held that children's rights to basic necessities are neither absolute nor occupy any special place as compared to other socioeconomic rights (Schneider, 2004). It, however, backtracked when it noted that the government has a responsibility to adopt interventions to safeguard children from degradation, neglect and abuse even though they might be under the roof of their parents. In treading cautiously on subjects relating to priority-setting at the domestic level, it observed that the

duty to provide children with basic amenities such as food and shelter rest with or begins with parents, then to the broader family before the state (Williams, 2014). The obligation of the state is triggered when children are removed from the care of their parents or (extended) family, especially as section 28 does not oblige the government to provide houses on demand to parents for the benefits of their children. For this reason, the constitutional provision does not oblige the government to provide housing for the children in *Grootboom* as they were under the care of their parents. This contentious interpretation of the Constitution may be linked to what is termed as the ‘incoherent consequence’ of denying access to housing to those without (or with older) children to the benefit of those with minor children. Such a ruling stands the risk of rebranding youngsters as yardsticks for accessing state shelters. But a reader could argue that in light of the special needs of minors, it would not be farfetched to use children as benchmarks for allocating shelters. The Court, however, rejected this view arguing that if such an argument is upheld, the rights of children would be invoked in every socioeconomic rights litigation which would eventually water down the clawback clauses provided for all positive rights (Sloth-Nielsen, 2001).

Going back to housing and the first arm of the application, the Court held that section 26 obliges the state to provide temporary shelters to address the immediate needs of people in desperate conditions while seeking for measures to provide long-term solutions to their challenges (De Visser, 2003). It further averred that even though the applicants have failed to provide sufficient information in order to define the minimum core, it held that such detailed information was not necessary as it was obvious that the applicants were residing in structures consisting of plastic sheets. It recalled that in order to fulfil citizens’ right to housing, the government must discharge two obligations to two different sets of people: the poor and the affluent. For the first group, the state’s obligation is to forge interventions to provide decent housing for those incapable of erecting their own structures or renting from third parties. This begs the question, whether the state has ensured the progressive realisation of the right in question by taking reasonable steps? In responding to this, the Court observed that the government has failed in this respect despite the enormous resources at its disposal. It added that the Constitution imposes a duty on the state to construct a coordinated and coherent intervention to address the urgent needs of

people even though it does not automatically guarantee (upon demand) a right to shelter or any of the socioeconomic needs (Sachs, 2003). The onus is, thus, on the government to frame such interventions to respond to the needs of people in intolerable conditions or without roofs over their heads and no access to land. On the question of the second group – the affluent or those capable of paying for or building their own houses – the obligation of the state borders on creating an enabling environment for self-built houses through housing stock and access to loans. In this context, the government has a duty to create competitive markets which are adequately flexible to provide needed flexible loan terms or affordable accommodation for purchase to those who can afford it. Put differently, eliminating monopoly, unreasonable rent hikes or racketeering enables the middle class to participate in the housing market.

On the question of policy, it held that the state's 1997 Housing Act 107 could be considered as constitutional if it is effectively operationalised to ensure that a disproportionate percentage of the poor have access to housing (*Grootboom* case). Although it recognised that some individuals' deprivation of housing may be permissible, especially if they have the means, the government's RDP programme was seen as unreasonable and inconsistent with the constitutional plan for three reasons. Specifically, the programme was seen as failing to manage the crises, not affording relief to desperate people and failing to budget, plan and monitor the operationalisation of housing allocation. The Court reiterated that in recognition of this constitutional duty, the local government of Cape Metro equally adopted a housing policy to respond to the needs of individuals in desperate circumstances. Yet, despite the noble aspiration of the municipal policy, insufficient financial support from the state equally hindered operationalisation of this policy. It ultimately concluded that section 26 had been breached. This decision has, over the last decade, been widely acclaimed as groundbreaking as it underscores priority-setting and the obligation of state to respond timeously to those in desperate need (Chenwi, 2008).

In sum, a historical judgement which allows one to understand and forecast the possible interpretation of a food security application is compelling, as it could be a useful weapon to draw inspiration from and advocate for people's RTF. Such a historical reflection is important since a considerable number of literatures have not paid attention to some of the legal contours or challenges which food security litigants

might encounter in courtrooms. The lesson from this section is grounded on the notion that by drawing from legal precedence, one could frame and file an innovative RTF application with the court for possible (successful) remedies. Three lessons can be drawn from the *Grootboom* case. First, it reminds us that individuals who live in desperate conditions are deprived of their entitlements as citizens and cannot enjoy a decent standard of living. Second, the case underscores the intricate interdependence between democratic deliberation, constitutional law and/or subsistence rights. Third, it demonstrates that an application on the violation of the RTF could be filed if applicants could demonstrate that a section of the population is in desperate need of food and the state has failed to meet its minimum core obligation.

## Conclusion

This chapter has demonstrated that the RTF is rarely recognised as a justiciable right in many countries, especially those in sub-Saharan African as well as those in the Global North. In most jurisdictions, the RTF or food security is either relegated to the bracket of DPSP or not recognised at all, as demonstrated in the American Constitution. This lack of recognition impacts on the ability of (quasi)judicial bodies to enforce citizens' right to adequate food. However, the transition of South Africa from apartheid to a democratic regime in 1994 witnessed the birth of its 1996 Constitution which contains provisions unparalleled in contemporary times. The key feature of this instrument worth celebrating is the expansive socioeconomic provisions in the Bill of Rights seeking to enhance the living conditions of the poor. The recognition and justiciability of the RTF in the Constitution is distinctive, especially as very few national constitutions recognise access to adequate food as a human right. Also, to ensure enforcement of this right, the Constitution has mandated the courts and the SAHRC to perform monitoring roles (adjudicating and state reporting) to evaluate the compliance and performance of the state in this domain.

Despite these constitutional guarantees, the RTF is one of the rights frequently abused as millions of South Africans go to bed hungry. One challenge limiting the enjoyment of the right is section 27(2) which subjects it to the availability of state resources. Indeed, the clawback clause has served as a blanket excuse for the state to exclude millions from social assistance programmes since positive rights are about



equitable distribution and individual needs have to be balanced against the broader needs of the community. It is important to note that the promotion of food security cannot be attained through quasi(judicial) institutions alone, but rather in collaboration with the institutions which perform the actual operationalisation of food security interventions: the legislature and executive.

# 6 *The Unfinished Agenda: Perspectives on South Africa's Food (In)Security*

## Introduction

Despite being enshrined in several (inter)national human rights instruments, right to food remains one of the most frequently violated rights in contemporary (South) Africa.<sup>1</sup> As discussed in the [previous chapter](#), millions of South Africans are battling food insecurity even though the country is food secure and remains a net exporter of agricultural commodities. This stark reality has its roots in a gloomy legacy of colonialism and subsequent neoliberal economic policies which have triggered a considerable food affordability crisis ([Rose and Charlton, 2002](#)). Hit by other broad-based price increases, such as rising costs of rent and electricity and petrol price hikes, the poor are left with even less to spend on staple food ([TimesLive, 2019](#)). While the affluent and working class might have experienced a salary hike to adjust to economic shocks, the poor and non-working classes often bear the blunt of uptick in food prices. To the ordinary household in a township, food is the equivalent of fuel in the suburbs and they expect the state to intervene when prices inflate.

In addition, any retrenchment, reduction in wage, increased electricity usage in winter, transport/petrol price hikes, and loan repayment exacerbates food insecurity. In fact, in a food-secure country like South Africa, the government does have the ability to bring down food prices. However, responses by policymakers and politicians have at best been marked by indifference or been less than encouraging as chronic hunger triggered by high food prices is rarely a major motion tabled in the National Assembly or policy action at the executive level. This has had

<sup>1</sup> Food insecurity is used here to refer to people's experiences with hunger and deprivation. It is important to highlight that there is a fine line between food insecurity and hunger. By all practical definitions, while the former implies lack of access to food, the latter connotes a feeling of weakness or discomfort triggered by inadequate or lack of food.

the spectacular, yet defective ramification of leaving the food market unchecked while national food security strategies are left fragmented. To some, the government's adoption of the *Household Food and Nutrition Security Strategy* (HFNSS) and *National Policy on Food and Nutrition Security* (NPFNS) in 2013 held the promise of alleviating food insecurity (Hendriks and Olivier, 2015). Despite their noble aspirations, these policies have not translated into reality or improved the living standards of the target group.

This chapter contends that the promotion of food security is a specifically neglected arena in contemporary South Africa. While the state has adopted specific binding legal instruments in the form of Acts and backed by established departments to give effect to rights such as health (2003 Health Act 63, and Department of Health), education (1996 Schools Act 84, and Department of Basic Education), water and sanitation (1998 Water Act 10 and Department of Water and Sanitation), and housing (1997 Housing Act 107 and Department of Human Settlement), food security is only guided by non-binding policies and with no particular institution to ensure its operationalisation. To be exact, food security mandates are stretched among the aforementioned institutions which have further exacerbated the problem of incoherence and ineffective operationalisation. The lack of specific food security instruments and implementation has a negative ramification on people's access to food as there is no effective regulatory body to clamp down on food cartels or ensure that food prices are within the reach of the poor and unemployed. Nonetheless, one must not rubbish these legislations as food (in)security is inextricably tied to other developmental questions including nutrition, education, retail markets, water, land, health, urban and rural development, sources of income and social protection issues.

This chapter, therefore, outlines the colonial legacy, contemporary political engagement and policies that impacts on food security in South Africa. An essential element of this chapter is an observation that the framing and operationalisation of food security interventions are often done piecemeal, often with overlapping mandates by different departments. In this sense, the chapter will discuss the food security mandates of relevant departments to contest studies which argue that the HFNSS and NPFNS have integrated, harmonised and streamlined food security programs. Through a discussion of key findings and crosscutting issues impacting food security, the chapter suggests that

the state needs to adopt an overarching Food Security Act backed by a particular department to ensure effective implementation of the instrument.

### **From Farm-Owner to Farm-Labourer**

In their daily effort to prescribe medicine, medical practitioners normally look to the causes of the illness or more commonly to its root cause. In most instances, the cause of the sickness dictates the type of medication to be administered. Such is the case with South Africa's food insecurity. As society and scholarship has shown, the current challenges of unemployment, poverty and chronic hunger echo or perhaps rather amplify, the country's ugly past, namely apartheid land policies and practices (Westaway, 2012).

For a period of over three centenaries, European colonists – predominantly British and Dutch settlers – began occupying the Cape of Good Hope in the 1650s and subsequently progressed eastward and northward (Oliver and Oliver, 2017). To legitimise their land claim and expropriation, a plethora of restrictive legislations were adopted which culminated in the transfer of a greater percentage of the best lands to whites. To Msimang (2018: 29), '[i]n spite of their smaller numbers, whites were free to own or lease land in the other 93 percent of South Africa'. This implies that the majority African population was confined to only 5 per cent of the land. The most compelling of these instruments included the 1913 Black Land Act 2, the 1936 Development Trust and Land Act 1, the 1945 Urban Consolidation Act, the 1951 Prevention of Illegal Squatting Act 52, the 1956 Blacks or Prohibition of Interdicts Act 64, the 1959 Trespass Act 6, the 1964 Black Labour Act 67, the 1973 Proscription of Labour Tenancies Act and the 1979 Slums Act 76.

Needless to say, that whereas the 1952 Blacks or Abolition of Passes and Co-ordination of Documents Act 67 define African populations as non-citizens in their own lands, the 1966 Group Areas Act 36 created a segregated society where black populations were proscribed from residing or embarking on any economic activity within specific areas. With Africans confined to less than 10 per cent of the land often termed Homelands or Native Reserves, by the early twentieth century, whites controlled the best agricultural land and a disproportionate percentage of the country's natural resources such as water sources (Pearce, 2017).

The occupation and wresting of land from the indigenous people continued for a very long time, resulting in a massive transfer of land from the majority black indigenous population to the white minority settlers (Hall and Keep, 2017). The operationalisation of these instruments transformed many blacks from farm owners to farm labourers (Clark, 2019). The use of administrative and legal machinery to rob black rural populations of their land could be considered as a death trap, as hunger forced rural men, women and children to offer themselves as peasants and rural labourers to white farmers. In other words, most black farmers whose lands were arbitrary expropriated by the suppressive laws remained on their former lands as labourers employed to enhance the development of the white agricultural sector (Hall, 2004; Jankielsohn and Duvenhage, 2017). This form of occupation was immoral as they were given meagre wages which had a negative impact on their standard of living. Moreover, population explosion coupled with poverty in the Native Reserves compelled many to accept low-paying plantation jobs under harsh conditions (Mpeti *et al.*, 2018). In this way, blacks lost control over their environment, land, rights and their independence as they were reduced to human labour for major agribusiness corporations.

While many African countries embarked on and won their liberation from various colonisers in the latter part of 1950s and early 1960s, South Africa was still locked in the racist apartheid regime until three decades later in 1994 (Jankielsohn and Duvenhage, 2017). Unlike a full-blown liberation struggle, the country's transition occurred within the framework of political compromise or negotiated settlement which kept the right to property of the unconquered Afrikaner intact. Evidently, political independence did not come with economic liberation. In the course of the country's negotiated transition, the 60,000-person white minority, making up about 10.9 per cent of the population, owned 86 per cent of all farmland. To be specific, the white minority withheld approximately 82 million hectares of commercial farmlands from over 13 million Africans.

With the 1983 Constitution in force, rights of poor Africans to lay claim or contest unjust treatment was denied as existing instruments legitimised arrest, torture and imprisonment of blacks who attempted to reclaim their lands. Consequently, famished black populations remained confined and crowded in the Bantustans or former homelands. In stark contrast to other parts of the country, these locations

were marked by poor crop yield, diseases, illiteracy, unemployment, poverty and high mortality (Seidman, 1999). The few who secured jobs as farm workers on private farms faced constant abuse including low wages, severe tenure insecurity, insufficient access to medical services when injured and unwarranted evictions from farmhouses (Levin and Weiner, 1996). Due to very restrictive legislation, Africans had limited job opportunities besides serving as labourers in the mines or farms which ultimately coerced several youths to migrate to cities to either partake in liberation struggles or in search of industrial wage employment in neighbouring countries (Wolpe, 1972). The mass migration impacted on the living conditions of the elderly, women and children left behind as this vulnerable group was incapable of generating the same volume of supplies and the soil lost its fertility due to over tilling.

The black farmers, who were successful in producing cash crops were prevented from competing with their white counterparts through the operationalisation of a complex web of quota systems and marketing arrangements. Moreover, state agencies incentivised white farmers to expand their supplies through massive provision of financial and technical assistance, especially in periods of economic fluctuations in the global market. Without being accorded similar support and reinforced by state oppression, black commercial farmers and peasants had little prospect of surviving in this hostile environment (Bromberger and Antonie, 1993). The prevailing discriminatory practices resulted in a highly dualistic agrarian structure, where large numbers of subsistence agriculture plots on communal lands coexisted with developed and mechanised commercial farms.<sup>2</sup> Consequently, these two forms of farming could be perceived as symbols of ‘tradition’ and ‘modernity’, respectively. While the small-scale farms are dominated by black populations, the latter were largely owned by the white population.

Besides social grants and occasional remittances, the subsistence farms serve as the primary source of food for some blacks even though they are marked by low input as practised by impoverished women and children. Also, apart from the fact that most youths have abandoned the practice of small-scale farming in pursuit of greener pastures in urban centres, this form of agriculture is still predominant in the former

<sup>2</sup> Subsistence farming occurs when individuals cultivate crops or rear animals to feed themselves and their households; commercial farming crops are grown on a large scale to be sold.

Native Reserves. In contrast, the modern sector is engaged in large-scale food production, which is strongly linked to the global market, dominantly in the former 'white' rural areas and capital intensive. The black traditional farming practice tends to merely supplement the large-scale food produced by 'white' South African food producers.

To proscribe rural black population from reclaiming their land, the apartheid regime adopted the 1983 Constitution Act 110 which reinforced property and land rights of white settlers. Yet, in seeking to correct the errors of the past, the 1996 Constitution – which has been hailed globally for its groundbreaking provisions – reaffirms basic human rights as its guiding star. It further obliges the three arms of government to adopt progressive measures to address past injustices and ensure fulfilment of key socioeconomic rights, including access to land. Against this backdrop, the instrument strikes a balance between the rights of previously disadvantaged groups to access land for food production while safeguarding the property rights of landowners. This somewhat goes to explain why the country produces sufficient food, yet many do not get access as they lack land and/or money to purchase from food retailers. Thus, the dispossession of indigenous Africans of their land by the colonial settlers continues to have a devastating impact on the livelihood and food security of the present generation.

The most overt manifestation of the lingering legacy of apartheid is felt in the limited contribution made by African small-scale farming to the overall export economy of the state (Pereira and Drimie, 2016). Additionally, due to inadequate access to land, poor marketing, and insufficient financial and technical assistance, black people still constitute the larger percentage of farm workers in post-apartheid South Africa (Van Wyk, 2017). Hence, in light of the far-reaching ramifications of the country's past, it is imperative that the state addresses the overarching question of land scarcity as well as the technical/financial assistance needed as a means of improving African's own food production.

In sum, the historical wrongs perpetuated by the country's white settlers have had a long-term effect on the current food insecurity situation in South Africa. The forceful dispossession of blacks of their productive land deprived them of their entitlement to generate food for their survival. To this end, they were reduced to farm labourers where they were paid meagre wages and worked under harsh conditions. This practice has transcended the apartheid regime, rebranded as

commercial or agribusiness in contemporary South Africa whereby white farmers still control most agricultural lands and produce large quantities of food mainly meant for export (Yobe *et al.*, 2019). This trend has left millions of blacks unemployed, deprived and unable to afford staple food cultivated by their white compatriots (Shackleton *et al.*, 2019). But, is the question of land dispossession the only economic woes of the poor? A response to this crude inquiry entails assessing the economic policies of the post-apartheid regime as to whether they have improved, stabilised or exacerbated the crisis? The next section will argue that the level of poverty which is perpetuated by the legacy of exclusion has created an economic system which is not pro-poor and does not generate adequate job creation.

### **Transitioning from Apartheid to Neoliberalism**

In the early 1990s, approximately thirty sub-Saharan African countries witnessed a wave of neoliberalism which swept across the continent (Hanson and Hentz, 1999: 479). South Africa is one of these countries. After years of institutionalised racism and global isolation, the leading anti-apartheid movement, the African National Congress (ANC), came under significant political pressure from the former apartheid (National party) regime, international investors and financial institutions (International Monetary Fund and World Bank) to chart a particular economic course. In discarding its formerly held developmental principles, the newly elected ANC party embraced the so-called neoliberal doctrine marked by compliance with stringent conditions (Cheru, 2001). As a principle, shifting a state's areas of competence to the private sector marks neoliberalism. This includes privatisation of parastatals and government-held entities, free market or trade liberalisation, currency devaluation, deep cuts to social programmes, abolishment of agricultural and/or food subsidies, and a switch to cash crop production (Nkrumah 2016). Operationalisation of these conditions essentially gives rise to massive layoffs in the civil/public service sector, (il)legal dumping of foreign goods, reducing the value of domestic commodities, shifts towards cash crop, and local farmers cutting down production due to insufficient government support. As a result, the state opens up the local market for external investors and embarks on deregulation, fiscal austerity and large-scale privatisation of major sectors of the economy.



To some observers, the ANC's eventual acceptance of neoliberal orthodoxy may be linked to the World Bank's expansive power being brought to bear on the inexperienced regime (Peet, 2002). Regardless of the justification, the adoption of this global agenda could be seen as demonstrating a blatant disregard for the traumatic social consequences emanating from the operationalisation of hostile structural reforms. To Habib and Padayachee (2000: 259), '[i]ncreasing unemployment and economic inequalities associated with the neoliberal economic policies have also pushed even more of South Africa's population into the poverty trap'. Though many African populations continue to bear the brunt of poverty due to spiralling unemployment, the gap between atypical and permanent workers continues to widen due to the significant variation in wages and benefits. For while a 'conglomerate (white) business, the aspirant black bourgeoisie, and black professionals [...] benefitted from the tax concessions, the lowering of inflation, and the privatization programme', those at the bottom of the social ladder are ignored (Habib and Padayachee, 2000: 258).

In pursuit of recognition in the international community, the state became a party to the Agreement on Agriculture (AoA) under the aegis of the newly established World Trade Organization in 1995 (Streak, 2004). Operationalisation of the instrument meant a shift to imported goods and phasing out basic food subsidies which has steadily increased prices from the 1990s onwards. Against this backdrop, the state opened up its market to other parties of the AoA by cutting down its import tariffs from an average of 28 per cent to 7 per cent and ended all import quotas for agricultural commodities (Vink *et al.*, 2002: 2). This served as stimulus for agribusiness, particularly as emerging black farmers were unable to compete with established white agribusiness and opened the door for foreign investors to enter and gain monopoly over key agricultural sectors. As a consequence, many smallholders were displaced as agribusiness from the global North found a dumping site for their surplus food products.

Threatened by external markets, local cooperatives which had previously supervised processing and storage of agricultural products changed their status into corporatives and listed on the stock exchange (Williams and Taylor, 2000). As their status shifted, so did their objective. These large corporations and agribusinesses shifted their attention to mainly accruing wealth, which adversely impacted on

their consumers. In addition, as the impact of cheap imports penetrated into rural areas, many small-scale farmers were pushed out of business as natives developed a taste for processed food. This development resulted in widespread land grabbing as agribusinesses paid only a small ransom to subsistence farmers for their abandoned lands. As an illustration, after procuring two of the largest dairy processing companies in the mid-1990s, Pamalet triggered a price war by subsidising its products that pushed smaller rivals from production.

The height of the ANC's neoliberal agenda manifested in the entry into force of the Marketing of Agricultural Products Act No. 47 of 1996 which scrapped the agricultural board responsible for regulating producer prices and acting as a single channel marketer (Phukubje and Moholwa, 2006: 198). In the absence of a national regulating entity, prices of agricultural commodities have come to be determined by multinational entities, private corporations and international markets without government intervention. Along with the influence of the global commodity markets, agricultural conglomerates such as Nestlé, Unilever, Seaboard and Cargill set prices of many staple foods such as soybean, sunflower seed, wheat and yellow and white maize. While this new phase of supply and demand somewhat enables local commercial farmers to compete at the global level, it militates against small-scale farmers as they lack the subsidies to compete fairly against cheap Northern competitors who have state subsidies (Narsiah, 2002).

Suffice it to note that the onset of deregulation has been marked by price fixing. The private regulation of prices has inevitably resulted in price hikes, as the prime objective of corporations is interest accumulation and they are not particularly concerned with social impact. By gaining monopoly over the country's supply chain, the (inter)national entities decide when consumers should pay more. For instance, while the price of (super) maize meal soared 64 per cent between 2008 and 2017, the price of bread has more than doubled from ZAR 5.89 (US\$ 0.4) in 2008 to ZAR 13.49 (US\$ 0.9) in 2018 (GrainSA, 2018). This is clearly visible in the recent food-price gauging in chain stores such as Makro, Checkers and PicknPay due to the onslaught of the coronavirus and panic buying ahead of the twenty-one-day lockdown (Comins and Pillay, 2020; Hunter 2020). This trend is much like what Sen (1981) refers to as 'entitlement failure', where the widening gap between people's expectations and reality is worsened by their inability to purchase food on the open market. To overcome

exorbitant food prices at the retail end, it is imperative the government reverts its stance on neoliberalism by adopting measures which provide sufficient land and subsidies to subsistence farmers, cutting down on imported goods and establishing a national body for effective price control.

### **Losing the War against Food Insecurity: The State of Hunger**

Since 1996, South Africa has remained a dual economy with one of the highest inequality rates globally (Kollamparambil, 2019). Despite political promises of radical socio-economic transformation and improved standard of living, poverty levels have risen with 30.4 million people living in deprivation (Du Plessis 2017; StatsSA, 2017a: 14). Although the country's gross domestic product (GDP) has gathered pace over the last two decades, there has been little corresponding shift in inequality (Padayachee, 2019). This pattern is inevitable as poverty is handed down from one generation to another as intergenerational mobility is low in contemporary South Africa. Only 7 per cent of the net wealth is held by the bottom 60 per cent of the population; approximately 71 per cent of the net wealth is held by the richest 10 per cent (World Bank, 2019). Poverty remains most severe in the seven less-resourced provinces, but most residents in Gauteng and Western Cape tend to have a decent standard of living. The latter camp often tends to have sufficient access to education, transport, sanitation, social security, water and health services as compared to the other seven provinces (StatsSA, 2017b). Despite a slight decline in poverty between 2006 and 2011, South Africa has been marked by widespread income poverty since 2015. This trend, along with population explosion, has triggered an increase in the number of people with little or no income for sustenance, with the number of people living on less than \$1.90 per day escalating from 16.8 per cent in 2011 to 18.8 per cent in 2015 (StatsSA, 2017b: 14). Primarily, while poverty gaps for coloureds increased from 6.2 per cent in 2011 to 8.3 in 2015, black Africans witnessed an increase of 17.2 to 19.8 per cent within this period (StatsSA, 2017b: 20). As indicated in Table 6.1, while the poverty level of coloured females and males increased from 6.3 to 8.2 per cent and 6.1 to 8.4 per cent, respectively, within this duration, percentage of poor black African females and males soared from 18.1 to 20.8 per cent and 16.3 to 18.6 per cent, respectively (StatsSA, 2017b: 20).

**Table 6.1** *Percentage increase (+) or decrease (–) in level of poverty*

Ethnicities	Female	+-	Male	+-
African	18.1⇒20.8	+2.7	16.3 ⇒18.6	+2.3
Coloured	15.0⇒17.7	+2.7	6.1 ⇒ 8.4	+2.3
Indian/Asian	0.5⇒0.1	-0.4	0.6 ⇒ 0.4	-0.2
White	0.2⇒0.1	-0.1	0.2 ⇒ 0.1	-0.1

Source: StatsSA (2017b)

As one can discern from Table 6.1, the impact of the country's segregated past continues to have far-reaching ramifications on the most oppressed groups, namely Africans and coloured or mixed-race populations. Even though there was considerable improvement in the percentage of whites and Indians living with poverty, the same can not be said of the others. On the one hand, the percentage of white (fe) males living with poverty was halved, Indian/Asians also witnessed a decline of 0.4 and 0.2 per cent for females and males, respectively. On the other hand, the percentage of Coloured females and males living with poverty soared by 2.7 and 2.3 per cent, respectively, while African females and males in the same domain hiked by 2.7 and 2.3 per cent, respectively (StatsSA, 2017b: 20). In essence, despite being a middle-income economy with fiscal sustainability, South Africa has lost ground in the war against poverty and food insecurity, and urgently needs to cut down on poverty at a faster rate than initially conceived.

It is imperative to underscore that individual or household access to food is highly influenced by various forms of entitlement, incomes, social transfers or own food production (Nkrumah, 2018a). Hypothetically, promoting household incomes through job creation would be one of the avenues of eliminating poverty and food insecurity. Yet, whilst the state has adopted (what some call) positive discrimination such as the 1998 Employment Equity Act 55 or the 2003 Broad-Based Black Economic Empowerment Act 53 (BBBEE) as means of enhancing the welfare of Africans, this intervention has not trickled down to the poorest of the poor who continue to battle with food scarcity and income insecurity (Ponte *et al.*, 2007). Even though this measure has somewhat opened up job avenues to some few blacks, particularly in the public sector, it has not sufficiently alleviated large-scale household food insecurity. It was

against this backdrop that Mbeki (2009: 61) vehemently bemoaned that, despite being launched to give Africans certain economic privileges, the BBBEE has merely struck a 'fatal blow against the emergence of black entrepreneurship by creating a small class of unproductive but wealthy black crony capitalists made up of ANC politicians'.

In light of the shortfall in the job market, some observers have argued that cash transfer in the form of social wages and grants are instrumental in addressing the individual and household food insecurity situation (Triegaardt, 2005; Potts, 2012; Nkrumah, 2018a). These social safety nets are channelled through diverse mechanisms such as the provision of free basic services including subsidised electricity, water and sanitation, RDP housing, social protection in the form of child support, disability and old-age grants, no-fee paying schools and free primary health care (Hassim, 2008). While these interventions may be perceived as helpful in overcoming food insecurity, particularly as money meant for these services could be channelled towards groceries, StatsSA (2017a: 9) noted that the financial stability of many households was threatened between 2011 to 2015. According to the StatsSA, the underlying factors for the harsh socioeconomic conditions stem from an unstable policy environment, poor consumer confidence, higher prices, increasing unemployment and stagnant economic growth (StatsSA, 2017a: 9). It might not be far-fetched to project that instead of serving as an exit strategy for poverty-ridden families, the number of households dependent on grants will increase in the coming years considering the large-scale retrenchment and economic downturn (Plagerson *et al.*, 2019). Yet, though this form of economic redistribution is very essential in enhancing social cohesion in a highly unequal state like South Africa, it renders poor households susceptible to the whims and caprices of politicians and national government. A key exit strategy for the mounting marginalised and (un)skilled job-seekers is the framing of a meaningful exit strategy, such as entrepreneurial skills, education, technical development, skills acquisition, land and financial/technical support to those interested in agriculture. It is perceived that these measures will ultimately serve as a means of overcoming the current situation of food insecurity. As argued elsewhere, this call is tied to the promotion of a neglected area, subsistence agriculture, which has been identified as playing a key role in enhancing the food baskets of several families in the Global North and South such as Ghana and Malawi (Nkrumah, 2019a). Given that subsistence farming

remains a major economic activity among many black households, it remains quite ironic why it has received little government support in contrast to commercial farming.

It is worth noting that in order to frame suitable intervention(s), one needs to understand the challenges confronting accessibility and distribution of food at the national and provincial levels. Specifically, one needs to survey the resources or capabilities of households/individuals and the mechanisms of food distribution in the country, in order to fully understand the scale of food (in)security (Nussbaum, 2009). Just as different observers may subscribe to different conceptualisations and definitions of food (in)security, there is also disagreement on the actual experience of household food (in)security and national food security (McGarry and Shackleton, 2009; Hundenborn *et al.*, 2019; Nkrumah, 2019b). Even more disturbing is the fact there is no exact composite threshold which defines access to food to enhance the creation of food security monitoring systems and goals. Moreover, there are no nationally acceptable benchmarks or targets for measuring and monitoring the country's food security. In contrast to the sum of agro-food output (often termed as national food security), household food security or access is dependent on how food is distributed, who has the access to purchase and how markets operate. The complexity with policy targeting and accurate measurement is exacerbated by the challenges in identifying targets and strategies for the country's food security (Nkrumah, 2017).

In a semi-industrialised economy with such a high rate of food-insecure households, it is important to have an overarching food security strategy and threshold to ensure regular monitoring of the state of chronic hunger and state interventions to address this problem. The difficulty in identifying suitable interventions for food security can also be traced to the lack of understanding of the complex factors which impact on household food security. Beyond the conceptual challenges, there are operational or institutional setbacks which fuel food insecurity. These range from: (i) weak or absent corroboration between CSOs, the private sector and government departments; (ii) lack of expertise at state departments to identify and formulate suitable policies to adequately address hunger; (iii) insufficient budget allocation to successfully translate policy to implementable programmes; and (iv) corruption and siphoning of resources meant for improving small-scale farming and job creation. Ultimately, the solution to individual/household security lies in human development, structural transformation and employment expansion.

Besides the aforementioned constraints limiting the capabilities of policymakers to improve household food security, the plight of the famished is worsened by an array of additional costs including rising oil and electricity prices which have exacerbated the price of food. In March 2019, South African road users were advised to brace themselves for more tough times at the pumps as petrol prices skyrocketed by up to a ZAR 1.34 (US\$ 0.1) per litre (Nicolaides and Kajee, 2019). This will ultimately trigger a hike in agro-food commuter transport as well as chemical fertilizer as inorganic compounds such as worm castings, seaweed, manure, compost and blood meal are derived from by-products of the petroleum industry. Furthermore, keeping in mind that urban farming makes little contribution to the available food in the market, an increase in petrol will ultimately have a long-term impact on food markets in light of the cost of transportation of these commodities from the rural to urban centres.

Additionally, the manipulation of food prices by actors in the food supply chain, namely distributors, processors and supermarkets, coupled with speculation in commodity markets and biofuel production, have adverse effects on food prices. For instance, by April 2019, these factors culminated in an increase of the cost of grain, cereal, meat and dairy prices by 2.90 per cent over the same period in 2018 (TradingEconomics, 2019). Given they are heavily dependent on grains, mainly wheat and maize, a price increase on these staple food poses a serious threat to the survival of the rural and urban poor. More alarmingly, it has been estimated that biofuel production and growing demands from emerging markets are expected to drive up farm commodity prices leading to a 40 per cent spike in food prices by 2020 (OECD and FAO, 2019). This implies that not only will urban residents be affected, but the rural population as well due to the interconnection between the (inter)national economic networks and local commodity chains. Specifically, the landless, rural and urban poor would be compelled to either channel more of their resources to food or consume cheaper and less nutritious diets.

## Refocusing on Urban Hunger

It is often said that food insecurity is rare in urban places (Hadley and Patil, 2006). Local and national policymakers often focus their attention on rural hunger mainly due to the (mis)perception that food

insecurity is largely prevalent only in rural areas. This belief is somewhat shaped by the dominant ideologies of some observers who affirm that urban populations disproportionately benefit from public policy due to their socioeconomic and political power (Lipton, 1977; Bates, 1981; Andrea and Beckman, 1985; Burkey, 1993). Even though these theories were framed in the twentieth century, they have greatly swayed contemporary development policies and practices to be more sympathetic towards the rural poor. For instance, the National Development Plan (SA Gov, 2012: 231) argues that due to improved storage facilities, effective transportation systems and high competition in the food markets, urban dwellers tend to pay less for food than their rural counterparts (SA Gov, 2012). Clearly, this argument betrays the NDP's insufficient awareness of widespread hunger in urban areas triggered by overdependence on food markets and higher cost of living including electricity, rent and transportation. Hence, coupled with the notion that urban wages are higher, urban food insecurity has primarily been relegated to the background.

Yet, the locus of poverty, which was historically linked to rural communities, has now shifted to urban centres due to mass influx of rural poor. Many youths migrate to cities as they 'continue to serve as platforms that provide greater socio-economic opportunities' (Nkrumah, 2019b: 305). It is estimated that with over 63 per cent of the global population already residing in urban centres, this figure will increase to 71 per cent by 2030 and ultimately 80 per cent in 2050 (NPC, 2011: 29). With urbanisation, the shifting of rural poverty to cities is steadily rising, which implies that urban food insecurity will intensify in the coming decades and dealing with urban food poverty through key institutional intervention is inevitable.

However, in the context of South Africa, food interventions have been skewed towards rural areas and neglected in cities. Presently, there is no clear policy engagement with urban food systems or food security, which, in the framework of recent economic downturn and sharp rise in food prices, has negatively impacted on urban dwellers' ability to purchase food. Indeed, major political actors such as incumbent president, Cyril Ramaphosa of the ANC, Julius Malema of the Economic Freedom Fighters (EFF) and Mmusi Maimane of the Democratic Alliance (DA) have openly indicated their commitment to alleviate hunger (Bhengu, 2019; Hogg, 2019; Ngatane, 2019a). Despite this rhetoric, the reality of urban food insecurity is rarely on



national policy agenda. This continuous disregard of city food crises is better demonstrated in the several food security policies that remain rural in focus. These include the Integrated Food Security Strategy (IFSS), National Policy on Food and Nutrition Security (NPFNS) and the Household Food and Nutrition Security Strategy (HFNSS), which are mainly protectionist in response and overwhelmingly rural in focus (SA Gov, 2002; DSD and DAFF, 2013; Nkwana, 2015). This indifference to city food insecurity may be linked to four different, but somewhat overlapping factors.<sup>3</sup>

First, the marginalisation of the urban food insecure in public policy has its roots in the (mis)application of the concept 'urbanisation'. The term 'urban' is often used to define locations with visible and publicly declared local authority. Given that there is no universally acceptable definition of this term, contemporary South Africa (while drawing from classic apartheid working definition of this notion) only considers a site as 'urban' when it has a publicly visible local government. The [Local Government 1998 Municipal Structures Act 117](#) emphatically states that an urban or metropolitan area must have metropolitan councils with single-employer bodies, service-tariff systems, common property ratings and single metropolitan budgets. Based on this categorisation, the state recognises only eight metropolitan municipalities which can be classified as 'cities' or 'urban': the City of Tshwane (Pretoria), Nelson Mandela Metropolitan Municipality (Port Elizabeth), Mangaung Municipality (Bloemfontein), City of Johannesburg, City of eThekweni (Durban), Ekurhuleni Metropolitan Municipality (East Rand), City of Cape Town and Buffalo City (East London). Thus, even though by all conventional definitions some areas may qualify as urban, they have otherwise been relegated to the rural camp (Nkrumah, 2018b). As an illustration, despite considerable infrastructural development with a population of approximately 1.2 million, Mopani is considered rural under the official definition (SALG, 2017). In light of the fact that this location was earmarked during the apartheid era for labour supply for commercial farms which have, mostly now, been replaced with farm technologies, this group has been plunged into poverty. This has led to

<sup>3</sup> Policymakers often justify their ruralist tendencies on general surveys which find food insecurity to be prevalent in rural and not urban sectors, thereby reinforcing the conventional theory of widespread rural food insecurity. The most credible of these are the *Income and Expenditure Survey* (IES) and *General Household Survey* (GHS) which are administered by Statistics South Africa.

several poor urban areas and populations being wrongly considered as rural, thereby fuelling the argument that the poor are in rural areas and their food insecurity exit strategy lies in small-scale farming. To this end, South Africans residing in sites without a proclaimed political jurisdiction continue to be ignored in key policy areas on the question of access to food. The (mis)application of the notion of rural/urban binary evidently skews the percentage of the food insecure towards the rural population, rather than low-income urban areas.

Second, due to budgetary constraints, policymakers and politicians are often inclined to prioritise more visible needs than household food. A typical analogy of this preference is reflected in the daily service-delivery protests which rock many townships where residents take to the streets to demand medications for the infirm, textbooks, water, electricity supply and basic amenities rather than food. While this may hold true for all the major cities, there is no budgetary allocation to support food security interventions at the municipal levels. Besides the Department of Agriculture, Land Reform and Rural Development (DALRRD previously Department of Agriculture, Forestry and Fisheries) serving as the national operational home of food security, the national government does not allocate resources meant for food needs to local administrations. Therefore, any attempt in this domain by a municipality will have to be drawn from other allocations without national support. Furthermore, unfortunately perhaps for some, the DALRRD has demonstrated rural bias in its mandate with emphasis on a productive farming sector as a means of overcoming rural food insecurity. An important document which could have perhaps provided some leverage in this regard could have been the National Development Plan (NDP) and its operational body, the National Planning Commission (NPC, 2011). In seeking to eliminate poverty and reduce inequality, the document drew a fine line between national and household food (in)security, and highlighted the need to focus on the latter. Arguably, the framers of the document faced a dilemma when they recommended land reform programmes yet cautioned that higher levels of productivity in urban farming would depress domestic prices (NPC, 2011). This recommendation seems to be informed by the rural bias of food insecurity and does not seem to appreciate the daily struggles of urban poor households.

Third, the lack of urgency around urban food insecurity on the part of key (inter)national actors and policymakers may be linked to the

perception that providing intervention or development-oriented assistance for city dwellers is perhaps perpetuating existing rural-urban inequality. As discussed, in pre-1994, rural areas were locations of socioeconomic exclusion and widespread poverty. With these sites densely populated by blacks who were systematically removed from urban to rural areas, an urban food-insecurity agenda may be seen as reinforcing apartheid-era inequalities instead of redressing past wrongs.

Finally, urban food insecurity often walks in disguise behind the ruralist imperatives of micro-economic development and sustainable food supply. Often tied to food shortage as a result of drought or flood, hunger in rural areas often affects a larger proportion of people at the same time and within close proximity as compared to cities where food is in abundance and some dispose of surplus. Put differently, policy-makers are more inclined to rural hunger as it often affects a whole community, one often with little or no coping strategy, for there is a strong seasonality when rural families are confronted with insufficient access to food primarily due to agricultural cycles. On the other side, urban manifestation of hunger is typically at the household level with families resorting to different kinds of coping strategies such as contacting family members, colleagues or loan shacks. This implies that, based on [Sen's \(1981\)](#) entitlement theory, different families will have different access or lack of access at different times, which can render the urban food insecure somewhat invisible.

In seeking to circumvent this conceptual wrangling, [StatsSA \(2017b: 14\)](#) collapses this rural/urban binary into unified national data and finds that the poverty headcount has increased from 53.2 per cent in 2011 to 55.5 per cent in 2015. This implies that one out of every two South Africans is poor. By adopting the cost-of-basic-needs approach, it relies on three poverty lines or benchmarks to demonstrate the different degrees of poverty in order to enable the state to monitor this trend at the national level: (i) upper-bound poverty line (UBPL) or people who can afford to purchase and consume food and non-food items; (ii) lower-bound poverty line (LBPL) or persons, who, due to meagre income and other forms of entitlement are compelled to forfeit food in order to attain other basic non-food items; and (iii) food poverty line (FPL) for individuals who are unable to afford and eat sufficient food required for healthy living. According to the survey, while only 13.4 million South Africans could not afford food in 2006, this figure spiked to 13.8 million in 2015, with

**Table 6.2 Poverty levels in South Africa**

	2006	2009	2011	2015
Poverty lines	(in millions)	(in millions)	(in millions)	(in millions)
FPL	13.4 (28.4%)	16.7 (33.5%)	11.0 (21.4%)	13.8 (25.2%)
LBPL	24.2 (51.0%)	23.7 (47.6%)	18.7 (36.4%)	21.9 (40.0%)
UBPL	31.6 (66.6%)	30.9 (62.1%)	27.3 (53.2%)	30.4 (55.5%)

Source: StatsSA (2017b)

the figure of those with the ability to purchase food decreasing from 31.6 million to 30.4 million within the same period (StatsSA, 2017b: 14). Table 6.2 provides a breakdown of the percentage and figure of people falling under the three categories.

A visualisation of Table 6.2 depicts a meandering snake with poverty escalating from 2006 to 2009, declining in 2011 and ultimately soaring yet again in 2015. Although not clearly stated, it is apparent that the adverse effect of the 2008/09 global financial crises had a considerable impact on poverty in 2009 (Helleiner, 2011). Yet, as indicted in Table 6.3, despite the introduction of (inter)national food security interventions since the global crisis, there has not been significant improvement in the proportion of South Africans living with hunger (NPC, 2011).

As shown in Table 6.3, while one in three was poor in 2009, the ratio hiked to a one in four in 2015. In essence, the ratio of hungry people in 2015 was higher as compared to 2011 where the ratio was one in five. The zig-zag trend of FPL signifies that if the state operationalises feasible policies, the question of food poverty could be addressed. It is in this light that the chapter now turns to survey why prevailing food security interventions are failing to forestall hunger.

**Table 6.3 Ratio of South Africans living under food poverty line**

Year	2015	2011	2009	2006
Ratio of food poor	1/4	1/5	1/3	1/4

Source: StatsSA (2017a)

## Loopholes in Food Interventions

Over the last two decades, there has been a radical shift on perspectives regarding the causes of food insecurity, from identifying single factors such as low household income, to increasing awareness of the complex relationships between micro and macro factors, such as translating food security on paper (*de jure*) into practice (*de facto*). Despite being perceived as a threat to the life, dignity and health of millions, there is no particular government department with an overarching mandate to address daily struggles of food insecurity. Rather, food security mandates have been partitioned among various departments. This has eventually resulted in the piecemeal development of food security policies with resultant poor coordination at the institutional level.

As said in the [previous chapter](#), although it could be argued that food security is interlinked and interrelated with other rights and, thus, the need for multi-sectoral or multi-departmental intervention, this fragmentation hinders attempts to address this challenge comprehensively. To be exact, the lack of coordination among relevant government departments has the potential of duplicating state efforts or wasting resources in terms of energy, funds and time which could otherwise be redirected to cover millions of people excluded from social welfare programmes (Nkrumah, 2018c). To ensure that the hungry are satiated, the [next section](#) takes a look at some of the responses to address the incoherent food (in)security policies and programmes.

The 2002 Integrated Food Security Strategy (IFSS) policy was initially considered as the magic bullet as it called for broader collaboration among departments with food security mandates as a means of enhancing household food security. Yet, hampered by poor alignment of sectors and insufficient cooperation between and among departments, it failed to achieve its intended objective of streamlining all food security interventions, increasing income opportunities and household food production (DAFF, 2015). In response to this shortfall, the DALRRD (2005) framed the Comprehensive Agricultural Support Programme (CASP) to promote agricultural development by providing training and capacity building to new entrants into the farming sector, especially those who acquired land through own purchase or as beneficiaries of land reform (DAFF, 2005). For its operationalisation, the DALRRD established within its framework a Chief Directorate of Food Security (CDFFS) which was sub-divided into three directorates,

namely Infrastructure Support, Small-Holder Development and Subsistence Farming (Drimie and Ruysenaar 2010). As its name implies, the directorate was charged with the overall mandate of boosting rural and household food production, while establishing efficient support systems for commercial and subsistence farmers through training and information dissemination. Further, to provide financial assistance to emerging farmers, the Micro-Agricultural Financial Institution of South Africa (MAFISA) was established in the same year to facilitate the disbursement of loans to four main beneficiaries: smallholder, commercial, subsistence and household food producers (DAFF, 2016). With loans up to R500,000, the bulk of the borrowed funds were to be used to pay suppliers of production inputs (animal feed, pesticides, seeds and fertilizers), small equipment (spades, wheel barrows and knapsack spray), harvesting and agro-processing (GTAC, 2015).

Yet, a ten-year assessment of CASP and MAFISA reflects that there is a noticeable exclusion of persons with disability and youths (DPME, 2015: vii). For instance, of the total number of CASP beneficiaries, only 3 per cent were persons with disabilities (PwDs), and youths constituted a mere 14 per cent (DPME, 2015: vii). This could be overcome by widening the benchmark for accessing the programme in order to enable a greater percentage of the youths and PwDs to access these food programs. The second challenge is that the few beneficiaries were frustrated at their lack of sufficient access to formal markets for their products as it was difficult to compete with big cooperations and supermarket chains. This setback could be addressed through effective partnership between the CDFS and Department of Trade and Industry to boost the commercialisation and market access of these farmers. Also, the DALRRD should strive to sharpen the commercial and marketing skills of smallholders through capacity building and skills transfer to enable them to compete fairly in the local market.

In light of the prevailing challenges confronting subsistence farmers and to encourage more emerging black farmers, Cabinet in 2013 approved three different, yet overlapping food security strategies: the National Policy on Food and Nutrition Security Policy (NPFS), the Household Food and Nutrition Security Strategy (HFSS) and the Fetsa Tlala Production Plan (Fetsa Tlala). These policies were subsequently complemented in 2015 with yet another, termed the National Food and Nutrition Security Implementation Plan (NFSP). The golden

thread which runs through all these instruments is their emphasis on cooperation between community-based organisations (CBOs) and relevant government departments by pulling resources together to ensure the effective operationalisation of feeding programmes. As set out in section 152 of the 1996 Constitution, given that the promotion of socioeconomic development including food security falls within the ambit of local government, it is important that they are not sidelined in the operationalisation of these strategies. Indeed, while the NPFS underscores the creation of parallel food security structures at the local level, it fails to clearly spell out the specific functions to be played by provincial, municipal and district officials. Specifically, the document fails to outline the role of local administrators in policy analysis, formulation, operationalisation, monitoring and evaluation. In light of the role of municipalities as primary providers of service delivery, including water, sanitation and electricity which all (in)directly impact on food production, use, access and supply, allocating major food security mandates to the local administration will be vital in overcoming household food insecurity.

In anticipation of the problem of (non)cooperation and (non)integration of the visions of these strategies into the programmes and budgets of different departments, the NPFS further calls for the establishment of a National Food and Nutrition Security Advisory Committee (NFNSAC) composed of representatives from the DALRRD and the Department of Social Development (DSD), chaired by the Deputy President (Nkwana, 2015). Yet, at the time of writing, the committee only existed on paper. The absence of such an overarching body has limited the prospect of the NPFS as there are some six different institutions with different food-related mandates: while the Department of Economic Development (DED) has framed its own individual food security programme, others such as the Department of Basic Education (DBE), Department of Labour (DoL), Departments of Health (DoH), DALRRD and DSD have overlapping mandates without a primary structure to coordinate their activities. In light of the fact that the impact of ineffective food security policies and their poor operationalisation cuts across the various sectors of the country's population, the last sentence entices one to first step back and attempt to excavate the respective food security interventions, while paying attention to the various constraints confronting them. In spite of the fact that it might be prudent to access the respective interventions and their weaknesses,

we will assess only one of these programs due to the word limit of the chapter<sup>4</sup>: the social grant, administered by the DSD.

### *The State of Social Grants*

Given that majority of South Africans are food buyers and not producers, adequate government subsidies may play key role in countering rising food prices. Yet, some commentators dispute this claim, asserting that the poor do not require this form of intervention as the state has already instituted intervention in the form of social security that adequately addresses this concern (Vink and Kirsten, 2002). Indeed, besides mainstream salaries, wages, occasional remittances and cash transfers to households, social grants serve as the main source of income for over 17 million South Africans (Ngatane, 2019b). Grants constitute the second-highest government spending of ZAR 1.67 trillion (US\$ 1.10 billion) in the 2018/19 financial year (SANT, 2019: 51). According to the South African National Treasury (SANT, 2019: 56), in light of the increase in the number of beneficiaries, it was expected that spending would soar at an average annual growth rate of 7.6 per cent from ZAR 162.6 billion (US\$ 107 million) in 2018/19 to ZAR 202.9 billion (US\$ 134 million) in 2021/2. As demonstrated in Table 6.4 below, the figure of 17.9 million social grant beneficiaries was expected to rise to 18.9 million over the same period (SANT, 2019: 56). The grant is disbursed based on seven main categories, namely care dependency (CDG), child support (CSG), disability (DG), foster care (FCG), old age (OAG), grant-in-aid (GIA) and war veterans (WVG).

While the grant may be perceived as playing a key role in alleviating poverty and enhancing food security, its impact is plagued by six internal weaknesses: (i) special-needs based; (ii) no exit strategies; (iii) insufficient take-home amount; (iv) pilfering of grant funds by state officials; (v) diversion of funds for non-food purposes; (vi) overdependence on grants.

First, the DSD's cash transfers are not meant for individuals who simply fall below the FPL. In other words, it is not meant for people who are simply unemployed or poor, but rather it is targeted at those who can attribute their deprivation or poor socioeconomic condition to natural

<sup>4</sup> For extensive discussion of each of the programmes pursued by the aforementioned departments and their respective challenges, refer to Nkrumah (2017).



**Table 6.4** *Number of grant beneficiaries*

Province	WVG	OAG	GIA	FCG	DG	CSG	CDG	Total
Western Cape	28	354,312	21,821	31,872	155,604	1,021,092	15,763	1,600,492
Northern Cape	3	89,126	13,006	11,970	48,572	314,069	5,959	482,707
North West	–	264,790	12,446	29,553	67,149	856,779	9,916	1,240,633
Mpumalanga	1	257,160	20,010	27,768	78,308	1,105,791	11,580	1,500,618
Limpopo	3	474,289	49,971	44,314	96,729	1,846,762	16,012	2,528,080
Kwazulu Natal	9	705,290	65,674	75,177	228,743	2,838,909	39,715	3,953,517
Gauteng	33	620,417	7,286	45,848	116,710	1,867,017	19,834	2,677,145
Free State	1	206,444	6,561	28,813	74,047	693,003	8,439	1,017,308
Eastern Cape	14	581,489	25,214	90,704	182,393	1,908,650	22,783	2,811,247
<b>Total</b>	<b>92</b>	<b>3,553,317</b>	<b>221,989</b>	<b>386,019</b>	<b>1,048,255</b>	<b>12,452,072</b>	<b>150,001</b>	<b>17,811,745</b>

Source: SASSA (2019a): 27

causes. At the risk of stating the obvious, CDG is reserved for parents/caregivers of disabled children, CSG applies to only children under the age of eighteen, only a limited category of disabled people benefits from DG, families caring for foster children are beneficiaries of the FCG, OAG is reserved for the aged (those above sixty years), GIA applies to those caring for vulnerable grant holders, and as its name depicts, WVG is reserved for ex-soldiers (SASSA, 2019a). Table 6.5 simplifies these categories.

The grant's special-needs-based system conceptually demonises those who do not qualify as it implies the excluded are not worthy of state assistance as they cannot link their deprivation to natural causes besides being simply poor. Thus, irrespective of their dire food needs, millions of able-bodied yet unemployed youths are cut off from assistance. Presumably, the only available remedy for this group is the Social Relief of Distress Grant (SRGD) which provides a certain amount of food stamps or vouchers to people in distress for a limited period. Unlike conventional grants, the SRGD is a temporary assistance for individuals in dire material need. A successful applicant can assess it for a maximum of three months, and in an exceptional circumstance, for an extended three months (SASSA, 2019b). In order to assess this limited assistance, a candidate must meet at least one of these restrictive thresholds: (i) a denial of one's application for the grant will cause undue hardship; (ii) the applicant does not receive external assistance; (iii) the applicant has been plagued by a disaster such

**Table 6.5** *List of grants and beneficiaries*

Grant	Criteria
CDG	Children with disability
CSG	Children under 18 years
FCG	Children under 18 who are orphaned, abused, abandoned, at risk or neglected
DG	Persons with disability
OAG	60 years and above
GIA	Caregivers of beneficiaries of disability, war veterans or older persons grant
WVG	Ex-soldiers engaged in the Second World War (1939–45) or the Korean War (1950– 3)

Source: SASSA (2019a)

as building collapse or fire outbreak; (iv) the bread winner has been admitted to a state-owned facility, including psychiatric institution or prison; (v) the application is filled within three months after the death of the bread winner; (vi) no maintenance is received from parent; (vii) the applicant is medically unfit to undertake work for a period less than six months; and (viii) the applicant is awaiting payment of an approved mainstream social grant (SASSA, 2019b). Clearly, these complex conditions are not couched to assist the poor as they are not only burdensome to prove, but could be expensive and time-consuming to pursue.

In addition to the DSD's narrow eligibility criteria, the scheme is woefully insufficient in terms of uptake rates. As shown in Tables 6.6 and 6.7, grant increases have not kept up with inflation.

**Table 6.6** *Values of maximum social grants*

Grant	2018/19	2019/20	% increase
FCG	R960 (\$63.4)	R1,000 (\$66.0)	4.2%
CSG	R405 (\$26.8)	R425 (\$28.1)	4.9%
CDG	R1,695 (\$110)	R1,780 (\$117.6)	5.0%
DG	R1,695 (\$110)	R1,780 (\$117.6)	5.0%
WVG	R1,715 (\$113.3)	R1,800 (\$118.9)	5.0%
OAG (over 75)	R1,715 (\$113.3)	R1,800 (\$118.9)	5.0%
OAG (below 75)	R1,695 (\$110)	R1,780 (\$117.6)	5.0%

Source: SANT (2019: 57)

**Table 6.7** *Changes in the price of commodities*

Commodity	Weight	2018 index	2019 index	% increase
Fish	0.40	105.4	111.6	5.9
Vegetables	1.30	102.0	113.3	11.1
Cold beverages	1.11	103.7	115.3	11.2
Water	3.16	107.7	119.2	11.0
Electricity	3.80	102.2	110.0	7.6
Medical services	0.87	106.4	113.4	6.6
Public transport	2.30	100.8	110.7	9.6
Books	0.64	103.9	111.2	7.0

Source: StatsSA (2019a: 7–8).

While the projected increase of 4.2 per cent for FCG, 4.9 per cent for CCG and 5 per cent for the rest theoretically implies that recipients will be able to spend more on food, this increase has not been able to stave off food insecurity. While the highest increase was 5 per cent, the current consumer price index (CPI) inflation between 2018 to 2019 alone stands at 5.2 per cent (SANT, 2019: 5). As indicated in Table 6.7, the inflation was not only in the agricultural sector, but cuts across other basic needs.

This implies that the price increase in basic necessities such as electricity, water, transportation and food outstrip the increase in the grant, thereby exacerbating the prevalent poverty, including starvation.

It should further be noted that this minor increase in grant will not win the battle against food insecurity as the grants have multiple uses and users. The amount is diluted among many needs and dependents apart from the intended recipient as it forms part of the household income and is spent on non-food items for the entire family (Nkrumah, 2018a). With 28 per cent of South Africa's population affected by medium- to long-term unemployment, in some cases for periods exceeding twelve months, more than a quarter of the population mainly depends on the insufficient grants for survival (StatsSA, 2019b). To this end, even the two largest forms of relief – the OAG and WVG – are incapable of making inroads into poverty or enhancing quality of life of the recipients.

As a matter of fact, the social grant has been an instrumental device for enhancing the food entitlement of many, even though it lacks an elaborate exit strategy. As a means of cutting down overdependence on state welfare, the strategy should incorporate a programme which enhance the capabilities of beneficiaries while linking them to economic opportunities. Yet, a reader may moot that there is some form of in-built strategy, such as the pensioner exiting the OAG at death or children exiting the FCG or CDG at eighteen. But does this explicitly or implicitly address the larger question of: 'how can the unemployed eighteen-year-old former beneficiary access food?' for while the grant has been instrumental in the arena of food security, it does not provide sufficient funds, skills or job experience for beneficiaries to fall back on when they are no longer eligible. One may, thus, conclude that the grant has become a double-edged sword: its roll-out has enhanced standard of living while failure to adequately increase its value and

expand its scope to cover the excluded millions has seen living standards stagnate and even slip for some households (Nkrumah, 2018a). It is, as a consequence, imperative that the state adopts and broadens entrepreneurship programmes for grant beneficiaries and their dependents to facilitate a sustainable standard of living.

## Conclusion

This chapter has argued that the apparent policy fragmentation and insufficient coherence between and among relevant government departments has led to the ineffective operationalisation of well-intended policies from averting household and individual food insecurity. It further observes that while social transfers and commercial food production have become a springboard to enhance people's ability to cope with hunger, household food security cannot be attained by these interventions alone. Overcoming prevalent hunger requires the adoption of holistic food security legislation and a department which will ensure a systemic approach that cuts across departmental boundaries. Moreover, to ensure the effective operationalisation of such an overarching instrument, the state must transcend the use of polices and inter-departmental working groups and rather adopt an overarching food security instrument which clearly stipulates the resources and/or the means to address the problem, especially in the case of pregnant women. The setting up of a specific food security department will ensure the effective monitoring and regulation of food prices, see that adequate grants are provided to cater for the needs of vulnerable groups, provide the platform for (re)examining and expanding the scope of social welfare beneficiaries, develop a programme to impart skills, and possibly oversee the allocation of lands for prospective farmers. In sum, there is the need for further research on feasible exit strategies which should focus on answering the question: can land (re) distribution serve as an exit strategy for grant recipients and the many excluded? This question forms the crux of the [next chapter](#).

# 7 | *Dispossession: Reforming Land in South Africa*

## Introduction

After more than twenty-five years since its transition to democracy, South Africa still grapples with a highly unequal distribution of land and uneven development. As highlighted in the [previous chapter](#), the collapse of apartheid witnessed the majority of black Africans dependent on the (urban) industrial economy and still zoned into locations with high levels of poverty and deprivation. The black population's access to land was strictly constrained to infertile agricultural homelands, mainly rural in character and underdeveloped and deprived of basic services and proper infrastructure. Thus, in light of the historic policies which dispossessed rural populations of their land and forced them into migrant labour, subsistence farming makes very limited contributions in the area of employment or in serving as a safety net against poverty in the black community.

By October 2019, complex systems of labour migration to, from and within rural areas coexist with high structural unemployment ([Graham \*et al.\*, 2019](#)). Food insecurity and poverty are widespread as fertile agricultural lands are still heavily concentrated in the hands of white farmers and corporate entity owned by whites. With minimal access to land, black communities often can undertake only subsistence farming activities which make minimal contributions to household survival. To this end, the poor and food insecure in (peri) urban and rural areas perceive the issue of land transfer as inextricably linked to the kind of small- or large-scale food production they yearn to pursue ([Rankoana, 2019](#)). Yet, the belligerent post-1994 economic environment – punctuated by the termination of state subsidies for the agricultural sector and deregulation of commodity markets – has played a minimal role in encouraging new entrants and supporting the gains of smallholders seeking to expand their production. Downstream and upstream markets mainly serve the interest of commercial and industrial farmers as they have monopolised the

local and export market with little competition from their small-holder counterparts. To this end, the next aspect of the chapter takes a look at some of the measures which have been adopted by the state to purchase land for purposes of redistribution – assistance it has extended to smallholders and previously disadvantaged groups – and the response of the public to the government's effort in this regard.

### A Backward Glance: Apartheid, Land and Legal Safeguards

In contemporary South Africa, widespread inequalities in ownership to and access to land continue to hinder millions from attaining adequate access to food and basic livelihoods. From a rural development and social justice perspective, the current debate about land reform is key in mapping out strategies towards reversing this inequality (Kepe and Hall, 2018). The question of land reform is seen by many as an avenue for redistribution of capital assets through agrarian transformation (Aliber and Mdoda, 2015; Arko-Achemfuor, 2016). Besides the prevalent land agitation, the landless and rural poor have pressed for better standards of living, particularly access to employment in light of the high retrenchment in the agrarian, banking and mining sectors. For this reason, the broader debate for land might be influenced by the prospects of the rural poor to have a stake in the urban industrial economy given the mass rural–urban migration.

It is important to indicate at this point that one of the vital victories chalked up by the unconquered white industrialists and farmers during the country's negotiated democratic transition was the successful insertion of a property clause in the 1996 Constitution. In effect, by averring that '[n]o one may be deprived of property', section 25(1) of the Constitution placed a legal stamp on, and legitimised, colonial land grabs. Agricultural land on the market needs to be transacted or bought from a willing (white) seller before it could be redistributed by the state. Despite this provision, section 25(8) sets out that the state may take legislative measures to implement land reform as a means of overcoming past racial injustice. Accordingly, the state adopted the White Paper on Land Policy (DLA, 1997), which sets out three key elements addressing the land question. First, guaranteeing access to land in the former homelands through *land tenure*. Second, providing compensation or *restitution* to those whose lands were taken on account of apartheid machinations. Finally transferring white-owned (large-scale) agricultural holdings to

black farmers through *redistribution*. Here follows a brief look at each of these interventions.

*Land tenure:* Land rights is an important concept for ensuring sustainable livelihoods for rural communities, the poor and the vulnerable, and their access to land for food production and other economic activities should not be ignored. At the moment, there are four groups of people whose access to land is under constant threat. First, owners of land in the former homelands stand to lose their pockets of land through customary tenure systems. Second, occupiers of informal settlements are victims of insecure tenure in urban areas. Third, occupiers of coloured rural areas face evictions from former mission stations. Finally, agricultural labourers and their families reside on privately owned agricultural lands. While customary or communal tenure does provide a sense of protection in land access, the rights of landlords may be compromised in cases where intermediaries such as local chiefs give away land for monetary gains without the consent of the rightful owners of the land. Despite a plethora of legislation adopted to forestall this practice, the status of community members as land-rights holders is not secure as they are uncertain that their rights to land will be recognised or upheld as legitimate by the state or relevant stakeholders. Even though section 25(6) of the Constitution provides for the facilitation of long-term security of land tenure for these groups, this has not been effectively implemented. Moreover, legislations setting out tenure and labour rights of farmworkers have been notoriously challenging to operationalise leading to the constant struggle of commercial farmworkers living on private lands (Mbembe, 2008). Without access to their own lands, farmworkers are not motivated to cultivate their own food as they may have to share the insufficient yield with their landlords (Kepe and Tessaro, 2014). In light of the hostile conduct of commercial farmers, evictions of farm dwellers, casualisation and retrenchment of farmworkers, it is imperative that the state finds a lasting policy and institutional solution to land administration and land rights.

*Land restoration:* The main reason for the continuous outcry for repossession of land could be traced back to the 1913 Natives Land Act 27 (NLA), 1950 Group Areas Act and other apartheid segregated laws which forcibly pushed blacks from fertile agricultural lands into congested native reserves or homelands (Mbembe, 2008). The NLA was rolled out on 19 June 1913 and limited land ownership by black people



to 7 per cent; with the population explosion among the black community, the 1936 Native Trust and Land Act increased this share to 13 per cent (RSA, 2019). These instruments basically proscribed black occupation or purchase of land in suburbs or fertile areas. This development ultimately triggered discontent and struggle over limited resources in former homelands or *ikasi* (Pienaar and von Fintel, 2014). In seeking to nullify these retrogressive instruments, the Restitution of Land Rights Act 22 (RLRA) was adopted by the first democratically elected national Assembly in 1994. The crux of the instrument is that communities or persons whose land was wrongfully dispossessed through the NLA have an option of requesting for its return or an equivalent cash settlement (Kepe and Tessaro, 2014). Two bodies established to administer the Act were the Land Claims Court (LCC) and the Commission on Restitution of Land Rights (CRLR). The task of the latter is to assist people to prepare their claims, assess claims and submit land claims to the LCC for adjudication. Based on the ruling of the court, the state can then purchase or expropriate the land for the claimant. By July 2019, some 80,664 of such claims have been settled, with 3.5 million hectares of land purchased and restored to individuals and communities previously dispossessed (RSA, 2019).<sup>1</sup> In this context, the state's quest for transferring land from whites to blacks is seen within the lens of righting historical wrongs, as land justice is essential for overcoming the triple challenges of inequality, poverty and hunger. Nonetheless, in view of the complex nature of the property clause in the Constitution, it is evident that transferring large parcels of land would remain cumbersome if not impossible. Three main challenges underscoring this observation are the limited financial capacity of the poor in terms of gathering evidence in support of their historical claims, delays in finalising their claims and the reluctance of white owners to trade off their lands. The process of excavating evidence for claims has proven time-consuming and taxing for many who wish to return to their historical lands for farming purposes (Zenker, 2015). Additionally, the state's pursuit of reversing the prevailing dualist agricultural structure through the creation of a new class of black commercial farmers

<sup>1</sup> According to the state, approximately 2.1 million recipients have benefitted from the land redistribution programme. From the 80,664 land claims settled, the state's land reform project has shifted from its initial agenda of transferring land to the rural poor to creating and building the capacity of a new class of African large-scale farmers on sizeable holdings. See (RSA, 2019).

may be burdensome as a result of inflated land prices (Arko-Achemfuor, 2016). Even more disturbingly, there is no uniform land price, as prices greatly fluctuate from one province or municipality to another. Thus, if the state seeks to pursue its agenda of land reform through the market, then it needs to increase its budget in order to meet the needs of the landless wishing to cultivate their own food as a means of survival.

*Redistribution:* As part of its rural restructuring programme, the state launched its Settlement/Land Acquisition Grants (SLAG) instrument to provide financial assistance to those hungry for land for subsistence activities (DRD, 2019). Yet, this initiative failed to provide sufficient fiscal resources to enable households purchase the required parcels of land for farming. At the risk of stating the obvious, the ZAR 16,000 (US\$ 1,100) per household grant was woefully inadequate to acquire a fertile plot of land for adequate food production (DRD, 2019: 1). In light of this backlash, the state took a policy shift in 2000 with the adoption of the Land Redistribution for Agricultural Development (LRAD), with the objective of creating a class of black large-scale food producers (DALA, 2000). Specifically designed for the wealthy or aspirant black commercial farmers, applicants are eligible for a grant between ZAR 100,000 (US\$ 6,647) and ZAR 20,000 (US\$ 1,329), but were obliged to make a corresponding contribution covering part of the land cost between ZAR 400,000 (US\$ 26,587) and ZAR 5,000 (US\$ 332) in a slanting pattern (DALA, 2000). From a pro-poor perspective, this initiative disempowers the food insecure and perpetuates inequality as it pegs the marginalised and unemployed against the very-well-off to compete for the same limited resources. The LRAD has, since its inception in August 2001, become the major government land reform programme as it has dwarfed others, thereby cutting off the poor from land transfers (Hendriks and Olivier, 2015) In effect, the lowest number of households engaged in agriculture in 2016 was located in the less economically vibrant provinces such as Northern Cape and Free State which recorded 2.1 per cent and 6.8 per cent of the national agricultural households (RSA, 2019). Besides this setback, other constraints confronting the applicants are poor post-transfer support such as inadequate access to markets to sell produce, lack of access to credits for irrigation pumps, lack of processing equipment and storage, poor roads for transportation of goods, and insufficient training and extension services. Consequently, the practical and financial

barriers limiting people's access to these high-priced lands have reawakened or refuelled calls for expropriation of land without compensation.

### **The Fate of Smallholders in Contemporary South Africa**

Since colonialism and the subsequent apartheid regime, being white was the major threshold for accessing agrarian capital. With efforts towards deradicalisation in the commercial sector, post-apartheid regimes decided to undertake steps to reorganise and deregulate the agricultural sector. To make inroads into rural poverty and enable black farmers have access to land and considerable capital, the government in 2009 adopted the Comprehensive Rural Development Programme (CRDP). To [Kepe and Hall \(2016\)](#), these instruments were key weapons to combat overcrowding and inadequate access to arable land in the homelands. The core objectives of both interventions were to minimise the hostile climate which militates against subsistence farmers in their effort to effectively compete on (inter) national commodity markets. To this end, the Department of Agriculture, Land Reform and Rural Development (DALRRD previously Department of Agriculture, Forestry and Fisheries (DAFF)) specifically sets out strict thresholds on who qualifies to access the state's land redistribution programme. The primary benchmark is that the applicant must be black African and (i) an affluent or aspiring business person with financial means and willing to venture into large-scale farming; (ii) commercial farmers who are well-established, yet are disadvantaged by conditions such as infertile land; (iii) farmers who are engaged in small-scale farming but want to expand production; (iv) individuals who need land and support to embark on commercial farms; and (v) households who need land to start small-scale farming ([GSA, 2019](#)). The golden thread which runs through these benchmarks is an attempt to deracialise the country's commercial farming sector and/or to upskill black farmers to transform their small-scale farms into large-scale production sectors. These initiatives have ultimately led to the emergence of diverse and 'large-scale commercial black farmers', often with access to small pockets of land ([Aliber and Mdoda, 2015](#): 19).

Yet, the lack of post-transfer support or insufficient capital has presented recipients with limited options. Beneficiaries are, therefore,

forced into (i) forging joint ventures with commercial farmers and, in most cases, former white owners, for purposes of securing farm labour and shareholdings; (ii) leasing out land to former owners and splitting the rental income among a large household, mostly yielding an inadequate portion for each person; (iii) combining resources to farm together as a group; or (iv) engaging in small-scale farming. This development has ultimately pushed some of the new black farmers out of the agrarian sector as they are faced with infrastructural constraint including insufficient funds for seeds, pesticides and farming equipment. Existing smallholders have further been discouraged by agricultural budget cuts which somewhat contributed to the collapse of most government extension services in the rural areas (Raidimi and Kabiti, 2017).

Meanwhile, effective land transfer is a complex process and, thus, not speedily operationalised, coupled with slow job creation and ongoing mass retrenchment. The state's market-led 'willing buyer, willing seller' land redistribution programme has been rolled out at the expense of poor smallholders as they lack the means to purchase land.<sup>2</sup> This somewhat provides a background to the intensification of land struggles and tensions from key political parties during the 2019 elections calling for land expropriation without compensation (Runciman and Paret, 2019). This call implies that the government policy of purchasing land at highly inflated prices for redistribution will be replaced by the practice of eminent domain or the power of the state to convert private property into public use. This agenda is fuelled by *ikasi* and urban residents agitating for increased access to land, which has intensified grassroots mobilisation and occupation of white farmlands (Shoba, 2019). With increasing unrest and threats against white farmers, private security guards are visible in most white-owned commercial farms. Aside from these tensions, land transfer – when operationalised with the objective of cutting down on food insecurity – could transform the agricultural sector by revitalising systems of smallholder production.

Despite these challenges, the state's effort in the operationalisation of the SLAG and CRDP may arguably be seen as depicting a relative success in improving the living conditions of beneficiaries. To be

<sup>2</sup> The programme has, however, benefited new black entrants to the large-scale agricultural sector.

specific, these programmes have led to the emergence of two categories of smallholders. Firstly, the number of emerging farmers who sell their produce and aspire to expand into the commercial market has increased to approximately 200,000 (Pienaar and Traub, 2015: 6). The second category is made up of several small-scale farmers who produce for household consumption. In theory, these two classes of farmers are perceived as symbolising the gradual transformation of poor rural small-scale farmers into industrial commercial farmers through the emerging farming sector. Even though it is estimated that approximately 2.1 million black subsistence farmers have emerged since the collapse of apartheid, this cannot be verified as the figure alternates daily or the data in the literature is perhaps only a fraction of the real number (Pienaar and Traub, 2015: 6).

Primarily consisting of the production of staple foods for local markets and household consumption, smallholders and small family farms can now be seen in different settings, such as cities, townships and deep rural areas of the former homelands. One aspect of small-scale farming worth citing is domesticated animals, namely poultry and livestock farming or (e.g. pigs, goats, sheep and cattle). While its significance is often ignored or underestimated by traditional economics, domesticated animals make a meaningful contribution to the economy and household needs by serving as surplus income and payment of *lobola* (bride price), and providing ploughing helps and a source of nutrients (Thomas *et al.*, 2007; Scholtz *et al.*, 2013). With high level of variations between provinces and households, rearing of livestock remains prevalent. Consequently, while many households engaged in ‘animal combination’, 77.6% in Eastern Cape and 72.4% in KwaZulu Natal kept one to ten cattle; KwaZulu Natal (68%) and Limpopo (66.8%) recorded the largest percentage of households that kept one to ten sheep; 78.2% in Limpopo and 75% in Mpumalanga farmed one to ten goats; with 31% in Eastern Cape and 24.6% in KwaZulu Natal farming one to ten poultry (StatsSA, 2016: 7–11).

Apart from open rangelands, farming activities often occur on demarcated fields, small plots and gardens with little of the produce finding its way into (inter)national (commodity) markets. Yet, many smallholders still carry out their operations on soils with poor agricultural prospects as they are predominantly confined to the former homelands where most of the soil nutrient reserves have been depleted. Worsened by overcrowding, poor rainfall and continued nutrient

mining without sufficient replenishment, most of these areas do not yield sufficient output. The resultant downward spiral of soil fertility has triggered corresponding environmental degradation and decline in crop yields. Subsistence farmers are ultimately consigned to minimal productivity, operating in a paucity of physical and material resources in light of the intrinsic inadequate resource base, poor educational background and insufficient access to water sources for irrigation. Thus, in light of apartheid architecture or construction, most subsistence farmers have been pushed to the fringes or areas with lesser crop yield based on insufficient or unreliable rainfall. Insufficient access to water is worsened by farmers' unskilled attempts at water harvesting to manage evaporation, deep drainage or surface runoff. With their primary dependence on rain-fed agriculture, most of the lands only generate minimal yields which are often directed at household consumption or trading off surpluses for extra income. Inevitably, with the increasing land constraints faced by smallholder farmers, the primary issue for enhancing production is transferring some of the arable lands to black farming communities. Suffice to add that agrarian and land reform will not only overcome essential components of structural inequality, but may play a key role in creating employment and scaling up food production for poor households.

In contrast to their commercial counterparts, a disproportionate percentage of smallholders are unable or unwilling to invest their limited resources towards their occupation mainly on account of frequent poor yields or customers' preference for processed foods. According to [Pienaar and Traub \(2015: 6\)](#), many are only willing to invest as little as ZAR 36 (US\$ 2.5) a month, which ultimately provides an indication of the resultant return. In light of this, smallholders pursue different survival strategies including social grants, wage employment, remittances or work as farmworkers. While monthly family remittance amounts to approximately ZAR 123 (\$8), the mean monthly salary income is estimated at ZAR 939 (US\$ 62), even though most households are not linked to the (in)formal labour market ([Pienaar and Traub, 2015: 5](#)). Of these different sources of livelihood, the majority of people rely on cash transfers from the state which provide a structural basis for broad-based pro-poor development. As discussed in the [previous chapter](#), with monthly incomes of ZAR 425 (\$30.1) for children, ZAR 1,780 (\$126.0) for the aged, and special free quotas of water and electricity for the vulnerable, these targeted

programmes exclude the unemployed and food insecure young people. The exclusion of the youths, especially young women, poses a threat to their livelihood and health as it compels them to undertake different activities potentially increasing their vulnerability to sextortion, rape, multiple partners and teenage pregnancy. With such exclusion, poverty and degree of hunger is more likely to increase once a teenager exits the programme at eighteen years of age since the child's means of accessing food or other basic needs for survival will be truncated (Nkrumah, 2018).

To this end, vibrant and well-resourced subsistence farming stands to supplement the insufficient grant uptake, while the unemployed could depend on it for consumption and income. Nonetheless, while 15.6 per cent of households were involved in some form of food production in 2017, this figure dropped to 14.8 per cent in 2018 (StatsSA, 2018: 6; StatsSA, 2019: 68). This development represents a decrease of 0.8 within the period, which may arguably be tied to the poor policy and institutional environment. For those little or no access to key safety net or wage income in times of crisis, farming provides about 10–25 per cent of average household income (Lahiff and Cousins, 2005: 128). Accordingly, a large proportion of households in the rural areas still engage in some form of agriculture as it forms an important livelihood strategy or response to crisis, or for quality standard of living.

Despite the prospect of this sector in curbing poverty and household vulnerability, government's support has been limited. For instance, StatsSA (2018: 6) reported that only 7.0 per cent of farmers received dipping or livestock vaccination services, slightly more than 2.2 per cent received training, and just 11.1 per cent received farming-related support. This lack of government support seems to cut across municipalities in spite of the massive fiscal budget directed at this sector. Illustratively, despite allocation of ZAR 471 million to the Ilima/Letsema programme in 2015, the programme shows little evidence of assisting vulnerable black farming communities attain an increase in production (Hancock, 2015).

In a narrow sense of the term, subsistence farming implies ability to produce food to meet the dietary needs of farmers and their families. Yet, one may broadly construe this form of farming as production of food for survival and meeting local requirements. While the size and type of crops cultivated may be informed by family needs, contemporary subsistence

agriculturalists have evolved to actively participate in the local markets, usually selling their surplus for other essentials, including meat, spices, used clothes and medications. With this broad conceptualisation of subsistence agriculture, several black smallholders may perceive themselves as falling outside this bracket. This is because poor soil quality and low yields does not allow these farmers to afford basic utilities such as electricity and water for irrigation, as well as access to pesticides and fertilisers to boost their production (Rogan 2018). On the basis of the vital importance of women as the custodians of knowledge on food crops and small livestock, it is worth considering the challenges faced by this group in farming.

### **The Plight of Women Smallholders**

Even though the percentage of women in food production and post-harvest activities in many municipalities is increasing, most of their agricultural projects are carried out on communal lands governed by local chiefs, of whom most are men. Owing to their cultural and traditional roles, women play a key role in the production value chain, from ploughing to harvesting, and yet remain marginalised in major decision-making and resource allocation (Beall, 2005). Particularly in the rural areas, the conventional housekeeping role often assumed by women may be tied to the gradual feminisation of subsistence and smallholder agriculture. With the country's dualistic agricultural sector, subsistence farming which is tied to femaleness has been pushed to the fringes and therefore makes it difficult for subsistence farmers, especially women, to access the necessary resources including land and support services for increased production. In instances where there is abject deprivation and food insecurity in the house, women often bear the brunt of their husband's (emotional and physical) abuse as they are perceived as being the causes of the hardships the household is experiencing.

Rural women continue to experience different levels of cultural vulnerabilities which adversely impact on their access to opportunities and land, even though the country's 1996 Constitution has set out extensive provisions guaranteeing their rights. In particular, notwithstanding sections 9 and 19 calling for equality and the right of women to stand for public office respectively, there has been slow progress in the transformation of cultural roles of women in the community. More



than two decades since the enactment of the Constitution, women are still perceived as subservient to their husbands or unsuitable to assume major leadership roles at the traditional level (Ainslie and Kepe, 2016). In most local communities, a women's claim to land can only be guaranteed through men, either through familial relations or matrimony. As a consequence, while government policies seek to promote sustainable rural livelihoods for poor women, this vulnerable group find it challenging to access land, particularly as their right to this resource is not secured. Women are naturally assuming the role of primary provider for their families but these unequal power relations greatly deprive them of the prospect of earning a living for their households, especially in a patriarchal rural setting.

Related to the plight of women is the evolution of the branding of South Africa as a 'fatherless nation' (Bertelsmann, 2019), tied perhaps to its widespread occurrence of female-headed households (FHHs) or the high rates of absent fathers. By the end of 2018, about 37.9 per cent or 6.1 million households were headed by women (StatsSA, 2019). In stark contrast to urbanised provinces such as Western Cape and Gauteng where only 32.5 and 29.8 % of households are FHHs, respectively, this practice is dominant in provinces with large rural areas such as KwaZulu-Natal (45.0%), Limpopo (45.8%), Eastern Cape (46.9%), Free State (39.4%), Northern Cape (41.0%), North West (36.4%) and Mpumalanga (36.9%) (StatsSA, 2019). This data triggers an urgent call for policy makers to take a second look at the distribution of land and agricultural assistance to women as they and their children form the majority of vulnerable groups in poor rural communities.

The prospect of women to successfully engage in and scale up their smallholding is further constrained by three related factors. The first is fear of mobility. The produce of smallholder women is often home-bound because of fear of urban insecurity such as possible robbery or rape and subsequent HIV/AIDS infection. Recent hikes in the figure of rape victims, including older women, has exacerbated the fears of women smallholders to use public transport as a means of transport and marketing their commodities in urban centres (Pijoo, 2019). This development calls for support services for local food providers in the form of providing processing facilities including abattoirs, mills and storage, construction of market places and development of effective transportation systems (such as bridges and upgrading of roads) to

enhance easy access to and from urban markets. Second, in an effort to advance their economic activities and attain food security, women smallholders are compelled to strike a balance between food production and their (re)productive roles in families, especially in light of their entrenched sociocultural roles bearing and bringing up children. Finally, the poor social and familial support in local communities means women often have to temporarily leave their families in order to commute and sell their produce in cities. This practice hinders their successful participation in the food market as being temporarily absent from their families or spending the night elsewhere is considered culturally unacceptable in traditional African societies. On that account, sociocultural barriers and competition from major commercial farmers impede women from transforming small-scale farms into commercial ones. The constraints pose a serious threat to their entrepreneurial ability and any prospects of boosting their activities to overcome their poverty and food insecurity situation.

In an attempt to reverse this trend, the government adopted the 2004 Agricultural Black Economic Empowerment ([AgriBEE, 2005](#)) aimed at redistributing control of the economy to previously disadvantaged groups, by giving procurement preference to black smallholders ([Kupka, 2005](#)). As a result, it sets out a scorecard obliging government departments and parastatals to give preferences to black food producers or companies with majority black shareholders ([Tapela, 2008](#)). This calls for partnership between subsistence farmers and their commercial compatriots. Regrettably, this form of partnership may unfairly expose or place the inadequately resourced and usually unskilled smallholder and the industrialised and/or sophisticated commercial white farmer in the same ring to bid for the same tender. To enable smallholders to participate meaningfully in the economic transformation, government must seek to award such tenders to multiple smallholders or boost their capacity to adequately access established formal markets in view of present challenges.

The CASP equally seeks to enhance the capability of smallholders in order to expand their production. Yet, as discussed in the [previous chapter](#), saddled by poor coordination in its operationalisation with insufficient skills among staff, poor planning, challenges in technical staff retention and delays in the procurement and supply of farm materials, the policy has not been able to live up to its promise of uplifting smallholders. The incoherent operationalisation of the

programme plays out at the provincial level where two different departments responsible for the supervision and disbursement of funds meant for land purchase and farm inputs adopt different criteria for accessing beneficiaries and the window period for disbursement of funds.<sup>3</sup> Accordingly, with the disbursement of an insufficient amount from one department, recipients are tempted to use up the first payment for household needs while waiting for the subsequent one.

In a nutshell, the challenges which militate against the aspiration of smallholders towards achieving sustainable livelihood include insufficient access to the markets, poor infrastructure, sociocultural dynamics, communal way of life within the rural areas, and insufficient institutional and technical support. Eventually, although these programmes could play a key role in alleviating poverty, their ineffective operations defeat their noble intent. After taking a closer look at the numerous challenges confronting smallholders and their ability to improve the food security, the [next section](#) turns its attention to assess some of the possible remedies which could be mobilised to circumvent these barriers.

## Overcoming Challenges

It is important to underscore at the onset that the aforementioned are not irredeemable problems, but overcoming them requires concerted efforts from the state, the private sector and the smallholders working in tandem to distribute adequate land, technical assistance and marketing skills to the poor and food insecure. Five steps are necessary in this regard. First, the key remedy for enhancing the productivity and market access of smallholders is by their forming cooperatives and unions. However, business partnerships formed by smallholders often collapse if the group's aim of maximising profit conflicts with the sociocultural dynamics of the rural area. Besides the lack of skills, poor management of business organisations and the prevalence of the 'free-rider' ideology have been key impediments to smallholder groups in accessing (inter) national markets.<sup>4</sup> To be exact, access to market for groups is negatively impacted by the conflict between the profit-seeking notion of

<sup>3</sup> These two institutions are the Department of Local Government and Housing, and DALRRD.

<sup>4</sup> The use of 'free rider' here denotes the challenge of some smallholders contributing less than their fair share of their responsibility or cost.

business and the sense of communal ownership of cooperatives. This challenge could be averted through skills training and/or business orientation to trigger dynamic and well-informed unions. Presently, one such union worth citing is the National African Farmers' Union (NAFU), which was forged in 1991 and continues to serve as a platform for black farmers against the existing white-dominant union, Agri South Africa (Matlala, 2014). Despite the fact that NAFU engages in lobbying (non)state agencies to support its members with access to technology, research, capital, markets and land, its main clientele is emerging black capitalists, or investors in agriculture or black commercial farmers. In this vein, there is the need for subsistence farmers to have a unified voice through similar cooperatives in order to mount pressure on the government and lobby donors for financial and technical support. Through effective capacity building, the communal spirit of ownership could be tapped and transformed into effective cooperation among members and their accessibility to markets.

Secondly, the state must refrain from copy-and-paste models of providing interventions for smallholders. It must seek to adopt interventions which are cognisant of the unique circumstance or sociocultural condition of the locality as a specific farming model in one urban or regional environment may not be suitable in another, given that each may have its unique soil (in)fertility, level of productivity and rain patterns which may deserve a specific kind of extension service.

Thirdly, there must be effective participation of smallholders in the drafting and operationalisation of land reform and agricultural policies. The involvement of this vulnerable group is key, as any development programme which is not grounded on the active input of the prospective beneficiaries' runs the risk of being unsustainable, particularly as there is no sense of ownership at the local level. An understanding of the culture and way of doing things within the local community is vital in the construction and operationalisation of any policy or intervention for local smallholder farmers. This may somewhat explain why millions of Rands have been injected into programmes such as CASP, Ilima/Letsema and AGRI-BEE, but all have failed to make the necessary inroads at the local level.

Fourthly, the Department of Local Government and Housing should partner with the DALRRD to survey how traditional patriarchal societies could be transformed to develop the capability of women as active players in a capitalist environment. This call is urgent in light of the

harsh socioeconomic conditions which compel some women to become breadwinners of their families. Emphasis should be placed on land transfer to women to make inroads into household food insecurity. Primarily, women smallholders need post-settlement or post-transfer intervention in the form of access to market, credit, equipment, extension services, tractors, fertilisers and pesticides to sustain their farming activity.

Finally, investment in human capital. Farmers could enhance their access to markets and/or overcome their current state of food insecurity through access to adequate information. Adequate and reliable information will assist farmers to observe quality standards and make informed choices about which crops to cultivate, how to price their products and where to sell them. Also, access to relevant departments capable of providing essential information regarding particular markets, how to assess these markets and how commodities are traded is key. In this context, the rural spirit of commonality and platforms such as town halls, mosques, churches, schools and clinics could be used to assist in information dissemination and capacity building. Consequently, the Department of Trade and Industry must strengthen its partnership with the DALRRD to provide training and logistical support to subsistence farmers on how to package their products, penetrate existing markets and access credit facilities for expanding their operations. The provision of training and skills to the poor, especially smallholders, not only boosts their confidence, but enables them to transfer the acquired knowledge to improve the quality of their farm activities and sharpen their marketing strategies. This intervention also has the added advantage of promoting other qualities such as resilience and effectiveness and imbues the prospects of buy-in of interventions tailored to improve coping strategies. In essence, investments and initiatives for subsistence farmers should focus on improving the sociocultural and human assets.

In summary, for land reform to make a significant contribution to food security, there is an urgent need for the LRAD to overcome the market-based system of acquisition and ensure a systematic approach of transferring between 40 and 60 per cent of the total agricultural holdings to different categories of marginalised groups. Beside subsistence farmers in the former homelands, preferential treatment should be given to FHHs, the disabled and youths to enable them undertake different agricultural activities including urban backyard gardens,

rural subsistence and commercial food production. The land (re)allocation should be backed by post-transfer institutional support such as market information, training, infrastructure development, pest control, irrigation sprinklers, transport services, credit facilities, research, veterinary services and agricultural extension to boost production and enhance the effective participation of smallholders in the agro-industry. The failure of the state to blend land transfer with an overarching rural development intervention, coupled with insufficient post-transfer support programmes has militated against the rejuvenation of the rural economy or improvement of the food security of poor farmers. In the contexts of revitalisation of the rural economy and neoliberal hegemony, there must be sufficient consultation between government officials, consultants and prospective land beneficiaries in terms of land use or tenure, the types of crops or animals to be raised (whether poultry, dairy, cereal, vegetable or subtropical fruit production), the scale of (small/large) production and marketing of produce.

## Conclusion

Subsistence farming serves as one of the main sources of entitlement or food security among rural and urban populations in contemporary South Africa. This avenue is important especially as the moneys received from social protection, remittances and wages are woefully inadequate to meet the food needs of many households. Yet, the number of people involved in this sector has dropped in recent times by reason of insufficient technical support, mainly in the area of lack of access to land, training and capital for farm equipment, and the exclusion of many youths from government agricultural interventions. Moreover, protectionist policies in advanced industrial countries have hindered agricultural opportunities and trade liberalisation has equally displaced small-scale producers. Rural women engaged in subsistence farming also face the additional challenge of entrenched societal practices and insufficient state protection which limits their access to markets. Most of these women are limited from trading off their produce in urban centres for fear of violence or exposure to high risk situations or vulnerability to sexual assault.

In order to reverse this trend, the chapter observes that it is essential for (wo)men to be equally represented in the framing and operationalisation of development programmes aimed at building the capacity of

subsistence farmers. Their participation in decision-making will help shape policies which will safeguard their right to land and access to commodity markets. The needs of women should be further prioritised in the allocation of productive assets, irrigation and pest control. This recommendation is made in light of the dual role of women as primary food producers and breadwinners in a widely fatherless society. Additionally, adequate allocation of resources – including provision of training and sharpening of skills of women – will be vital in sustaining the livelihood of many households since most children are dependent on their mothers. Suffice to say that the food security, economic growth, sustainable livelihoods and poverty alleviation cannot be achieved by solely ensuring adequate access to land through land reform. The remedy lies in the transformation of the smallholder agricultural sector, with women, youths and the disabled having sufficient state support in the form of access to productive assets, including land, water, seeds, machinery for cultivation and access to the markets.

In sum, overcoming food insecurity through land reform would require six different, but intersecting strategies: (i) provision of farming education to smallholders; (ii) suitable technology to replenish soil fertility; (iii) transformation of the agricultural markets; (iv) improved government extension services to new entrants and existing black smallholders; (v) broad-based land transfer; and (vi) increased access to water for irrigation.

# 8 *Ethical Obligation to Assist Impoverished South Africans*

## Introduction

By November 2019, millions of South Africans are experiencing hunger pangs or pains (StatsSA, 2019). This gnawing feeling which is triggered by strong contractions of the stomach when it is empty can be alleviated by eating adequate food at regular intervals. I presume most of us have, on occasion experienced this abdominal sensation. But, does this feeling raise any ethical considerations, especially as the famished live in a country with high inequality, high per capita income and available agricultural products? Undoubtedly, the disproportionate percentage of people experiencing hunger in the midst of abundance cannot be ethically justified nor taken for granted. A deeply meaningful question worth responding to is this: Does the social contract entered into by the state and its people morally oblige the former to ensure the sustenance of the latter?<sup>1</sup>

As some readers may have already gathered, the issue at hand is not merely about engaging in conceptual ramblings, rather it is the problem of everyone who sees famished women and children on street corners. Poverty, unemployment and exclusion from social assistance has plunged more than six million South Africans into hunger (StatsSA, 2019). At the national level, the state has instituted a social assistance programme which provides for those with special needs, namely, orphans, the disabled, aged and families caring for foster children (Nkrumah, 2018a). Nonetheless, millions who cannot attribute their hardships to natural causes such as being young, old or disabled are cut off. Suffice to say that on per capita basis, it is not beyond the capacity of the state to reverse this trend. But this can only happen when leaders

<sup>1</sup> A classic example of a social or political contract is the constitution. This form of contract could be defined as a binding agreement between the government of a state and its citizens, setting out the rights of the people, what measures should be adopted to safeguard these rights, and the limits on the powers of government.



decide to take decisions which are framed towards providing this 'missing middle' with the means to satisfy their basic needs.

Yet, despite the high number of food-insecure households, policy-makers have unfortunately (mis)directed resources to other projects. For comparative purposes, in 2018, the South African National Roads Agency awarded a ZAR 1.65 billion (US\$ 1.14 million) contract for the construction of a mega-bridge (Arnoldi, 2018; De Villiers, 2018).<sup>2</sup> The inference is that the state puts a higher premium on infrastructural development than on the wellbeing of the impoverished section of the population. At the local level, civil society organisations (CSOs) have not adequately responded to this dilemma in any significant manner. In a broader sense, these organisations have not actively embarked on a campaign, gone on strikes, filed court applications, taken to the streets or sent written memoranda to the executive or members of parliament demanding an all-inclusive social policy programme. These are the glaring facts about persistent hunger in South Africa. The state of hunger may, therefore, be said to be *man-made* (insufficient political will) and not *natural* causes per se. While there are several places across the globe where millions suffer the same fate of hunger, my focus is on South Africa due to the highly paradoxical state of its crises: hunger in the midst of plenty. With that, the [next section](#) considers whether there is any moral obligation for the haves to assist the have-nots overcome their hunger.

## Why Help Is Needed?

Confronted with rising food prices, population explosion and high unemployment, the real question confronting South Africa is how the state can avert hunger. This section begins with the proposition that in the interest of both the haves and have-nots, it would be prudent if everyone in the first camp could be benevolent, and the uncharitable coerced through the imposition of poor tax. The history of poor tax could be traced to the sixteenth century, where Henry VII, King of England, mandated the Catholic Church to carry out different forms of welfare programmes, including provision of food and clothing for

<sup>2</sup> The exchange rate of the South African rand has greatly fluctuated over the last twelve months and is R14/\$ as at September 2019. Nonetheless, an exchange rate of R11/\$1 is used here.

paupers (Persky, 1997). As rulers of the Kingdom of England, the House of Tudor experimented with different 'poor laws' for five decades following a decline in the influence of the church to continue the practice (Cross, 1928).<sup>3</sup> The poor laws contained provisions which demonstrated a genuine state concern by admitting those unable to support themselves into workhouses where inmates were provided with accommodation and employment. In 1601, Queen Elizabeth I adopted the Elizabethan Poor Law which sought to establish a mandatory taxation for distribution of relief to poor families (Chokshi and Katz, 2018). Based on the unique circumstances of each community, the law mandated local administrators to exercise their discretion on what type of assistance was needed, who qualified and how to ensure equitable distribution of resources. To ensure continuity of such assistance, the area of responsibility slowly widened from the parish, through the monarch (1834) to the local elites (1930), and ultimately to the entire nation (Bruce, 1968: 13). Beneficiaries were either entitled to indoor aid (entering into a workhouse) or outdoor aid which encompassed public employment, wage subsidies, direct transfers or food subsidies. By 1803, of the 11 per cent or one million citizens of Wales and England who benefited from this initiative, only 16 per cent were 'impotent poor' or physically infirmed such as the crippled, blind and elderly (Persky, 1997: 181). Poor relief was thus a ransom paid by the affluent to (i) keep their conscience and windows intact; (ii) shield them from the undesirable behaviour of paupers; and (iii) protect public order and private property as destitution triggers discontent (Van Leeuwen, 1994).

As in the Elizabethan era, a current poor tax could achieve its intended objective if the state set up a comprehensive food tax system, underpinned by strict legislation outlining how much is needed for the programme, who should pay what, who is eligible for assistance, and what or how much should be distributed to each vulnerable household. There should also be room for listing recognised NGOs mandated to receive and distribute supplementary assistance to the target group. To rid the programme of corruption and pilfering, there should be a monitoring mechanism to visit warehouses and distribution centres to ensure proper accountability on the part of government and private distribution agencies. Without the authority of the state, in the form of

<sup>3</sup> Poor law was a body of laws adopted to provide relief for the impoverished.

providing accurate estimates of how much each should contribute, the affluent may either underestimate their obligation in this regard or be inadequately informed of the exact amount they are obliged to contribute. In other words, without universal estimation, some might comfort themselves with the thought that it is not their obligation to ensure the survival of others and opt for lesser contributions, as witnessed in sixteenth century British monasteries (Persky, 1997).

Even though rhetorically inspired by the aspiration of eradicating poverty and improving living standards, national interventions are mostly tailored towards stimulating investment and expanding aggregate production with little consideration on who gains, specifically in terms of individual and household access. Yet, as highlighted, expansion in supply has not translated into access for many. Does this trend raise an ethical question as to whether those currently contemplating on how to get bread be left in their despair? This question elicits a discursive, yet equivalent question: do the state, CSOs and the affluent have a moral duty to alleviate the hunger pains of the have-nots? It must be noted that the activities which the first two actors have instituted to remedy individual/household food insecurity have been hazy at best. To be exact, the manner in which those at the helm perceive hunger, as I shall argue in subsequent sections, needs to be revised, paying closer attention, in particular, to core issues which have been trivialised in our contemporary community.

It goes without saying that assessing moral responsibility and the hunger condition of a vulnerable group is a moral discourse. It entails questioning and ultimately taking a moral position. To this end, the chapter kicks off with the proposition that stomach pangs caused by hunger are heinous. While some readers may indeed agree, others may equally concur but with a different perspective. This will not be the chapter's claim. On the question of individual hunger, some may take different kinds of unconventional views, and maybe to them exhaustion from lack of nourishment is in itself acceptable if springing from man-made causes such as laziness or misuse of one's resources. It is, however, beyond the scope of this chapter to advance arguments aimed at refuting or justifying this observation. The chapter is limited to assessing the conditions of millions of people one cannot conclusively claim are all slothful or squandered a large proportion of their inheritance on unnecessary luxuries. At least, in the case of South Africa, there is a wide array of classical and contemporary scholarly work which

discusses the suffering of many black South Africans due to the negative impacts of its chequered past, current stagnant economic growth and high unemployment rate (Andrews, 2006; Boisen, 2017; Nkrumah, 2018b).

It is worth noting that some utilitarians believe that food insecurity places an obligation on states and the well-off to provide for their deprived counterparts (Singer, 1972; Hardin, 1995; Wenar, 2007). But, as a counter discourse, what if the state claims it lacks the budgetary allocation for this purpose? I draw from the work of the aforementioned utilitarian theorists in constructing my central arguments that South Africa ought to entreat its affluent communities to pay extra tax by foregoing some of their decadence and extravagances for the well-being of their fellow humans. This moral petition may somewhat appeal to the conscience of affluent residents of Sandton, Ballito, Atlantic Seaboard and City Bowl.

Worth noting that salvaging the famished requires parting with a minimum amount of one's resource (wage or income), and not necessary a deprivation of the livelihood of the benefactor who can still enjoy a considerably decent standard of living. This notion can be applied, for example, in a situation wherein my next-door neighbour asks me for crumbs of bread on my way to a cricket match, and I forgo the event and give her the money meant for the ticket. Although this will deprive me of a good social vibe, the neighbour's stomach ache will be relieved. This chapter, therefore, calls upon residents of affluent suburbs to support *ikasia* (township) residents of Botshabelo, Etwatwa, Tsakane and Vosloorus, who can be considered as have-nots to also have enough food for sustenance. While some may be willing to be generous, others may not, even though our moral obligation imposes a duty on us to help others from perishing.

The central argument in this chapter transcends merely problematising hunger, and more importantly, addresses an existential gap in theory for conceptualising and setting out key remedies for mitigating food insecurity. Still, in opposition to Singer's (1972) lifeboat analogy of rescuing drowning people, some (affluent) readers may object and possibly table four areas of concern: (i) how long do I have to keep sacrificing for the poor? (ii) what if the ruling African National Congress (ANC) embezzles my contribution?; (iii) what if my contribution is not sufficient to meet the needs of this great multitude?; or (iv) why should I assist when others decline? Essentially, these counter

arguments boil down to how the assistance channelled should be *used* (providing social grants or food vouchers), and not *how much* one should contribute.

Having said that, there is a competing discourse or other considerations. In support of the ungenerous, [Hardin \(1995\)](#) moots that rescuing drowning people may have extensive ramifications for every society. In what he terms as the logic of the commons, the theorist equates drowning people to the underfed trying to climb on to the lifeboats of the affluent. This boat, to him risks getting swamped and ultimately sinking if they are brought on board. Even if the boat could still accommodate more desperate people, it will, he argues, sooner or later be swamped as a result of the population explosion in poor communities. In consequence, Hardin and his contemporary neo-Malthusians, avow that salvaging the poor will inevitably exacerbate society's problems in the form of climate change, environmental pollution and depletion of natural resources, including food shortage ([Osborn, 1948](#); [Vogt, 1948](#); [Borgström, 1967](#); [Fletcher, 1977](#)). This clique concludes that, for the sake of posterity, the hungry should not be fed in order to control their procreation and ensure surplus food supplies. They further conclude that the only means of safeguarding sufficient food and other basic resources such as water, clean air and land for future generations is to save up one's surplus resources for rainy days and not easily donate to the poor, as they are more likely to multiply and consume available resources. But, in the context of South Africa, this lifeboat metaphor or analysis is not really applicable as some manufacturers, wholesalers and retailers throw away edible surplus while homeless people scavenge in dustbins ([Gwangwa and Ndlazi, 2018](#)). Nonetheless, it is important to underscore that while Hardin and Singer arrived at completely contradictory conclusions, both adopt a similar utilitarian notion that our decisions and choices ought to be informed by their anticipated ends. In seeking to leverage the Hardin/Singer variance, several contemporary theorists have subscribed to Kant's notion of respect for individual's (socioeconomic) rights, by emphasising the importance of negative obligations ([Cohen, 2009](#); [Demenchonok, 2009](#); [Szymkowiak, 2009](#)).<sup>4</sup> While some refute the existence of any obligation to assist some individuals ([Varden, 2006](#); [Gilbert, 2009](#); [Maliks and Follesdal, 2013](#)), others invoke the notion

<sup>4</sup> A negative duty places an obligation on the state to restrain from doing or undertaking certain measures.

of perfect duty to refrain from causing harm to others as a means of safeguarding their right to life and dignity (Habermas, 2010; Franke, 2013). In line with states' absolute obligation to respect citizen's rights to utilise their resources as they deem fit, a reader could interpret this to mean that any attempt by the state to raise taxes directed at aiding the famished breaches this aforementioned absolute. Such a reader could simply conclude that the affluent ought not to be coerced into sacrificing for the poor, as the former are in themselves not simply a means to an end, but an end in themselves. This perception can be challenged on several fronts.

But, granted that this observation is valid, taxing the haves to benefit a few have-nots will not be morally wrong on the part of the state. This is based on the assumption that besides taking reactive measures to correct wrongs, the state, CSOs and the affluent themselves still have an obligation not to sit on fences while the poor perish, especially if they have the means to intervene. Besides taxation, an important avenue of eliciting assistance from the wealthy is through corrective action or compensatory justice. Some poor communities like Alexandria, Gugulethu and Khayelitsha are plunged into food insecurity due to the country's oppressive past, their current exclusion from major economic activities, corruption in government departments, inadequate access to education and resultant high unemployment rates. If the remote and immediate causes of these factors were/are triggered by the choices of the previous apartheid or current ANC-led government, then economic hardships in these locations cannot be attributed to the (in)actions of the (wo)men and children of these communities, but rather the decisions of the state and historically privileged white elites. Accordingly, if members of the government decide to set up a new pro-poor tax system, it may be justified on the basis of past and poor policies by the current regime.<sup>5</sup>

By all accounts, the state may, in addition, justify the imposition of poor tax on three grounds. First, on the basis of corrupt dealings by the wealthy which have created insecurity in the economy, increased transaction cost, impeded domestic and foreign investments, and imposed

<sup>5</sup> Often termed as the most unequal country in the world, in South Africa, whereas the whites constitute 11% of the population, they own approximately 80% of the national wealth and 70% of agricultural lands, with the blacks making up about 88% of the population, owning 10% of the wealth and only about 10% of the land.

a regressive tax which militates against small and medium businesses. As demonstrated in the Gupta brothers' exploitation of the state through the South African Revenue Service (SARS), the plight of the poor could also be linked to the actions of affluent individuals in the community who make excessive profits on the backs of poor labour forces that are often underpaid (Bangani, 2019; Chabalala, 2019; XE, 2019).<sup>6</sup> Second, food insecurity could also be placed squarely at the doorstep of the haves who fund particular political candidates who does not prioritise the needs of the electorate and rather (ab)use the resources of the state to satisfy elites' whims and caprices (Donagan, 1977; Ngoepe, 2016). A striking case in this regard is the use of some ZAR 246 million (US\$ 17 million) from state coffers by former president Jacob Zuma for the renovation and security upgrades to his Nkandla homestead. Meanwhile, Nkandla sits at the heart of the *uThungulu* district of Kwazulu-Natal where a great percentage of the population live in abject poverty and resultant food insecurity (Makatile, 2016). Third, the affluent, particularly political elites and decision-makers are morally obliged to contribute towards the poor tax as they have adopted and continue to operationalise economic policies which perpetuate mass exportation of grain rather than distributing a portion to citizens who lack the means to be net purchasers or producers, or both. Fourth, the affluents' use of high-powered car engines, industrial machines and generators contribute enormously to greenhouse gas emissions and the resultant adverse effects of climate change, which primarily leads to poor yields for smallholders and food price hikes for poor consumers. Finally, besides inadequate access to fertilisers and irrigation systems, the poverty situation of rural small-scale farmers is aggravated by inefficient transportation systems which hinder their attempt to fairly participate in national and global markets. When a government utility company like Eskom (2019) is unable to keep up with electricity or frequent load-shedding as a result of lack of maintenance of aging infrastructure and misappropriation of funds

<sup>6</sup> In this particular scenario, SARS illegally paid approximately ZAR 420 million (US\$ 29 thousand) in tax refunds to Gupta companies (a conglomerate of business entities owned by a controversial, yet wealthy Indian family). The family is known for a series of money laundering activities from South Africa to their home country. The official currency used in the country is 1 ZAR (South African Rand). The conversions used in this book are based on the exchange rate of 1 October 2019, of 1 ZAR = US\$ 0.066.

by the elites, economic recovery and jobs get threatened by that heightening retrenchment and/or wage reduction.

Like a military person facing court martial for mistakenly shooting an unarmed civilian in a conflict zone, the state is (in)directly culpable for mass atrocities due to the life-threatening conditions faced by the food insecure. Just as the state may be hailed for endangering the lives of a few (fire fighters) to rescue others from flames, it may also be ethically permissible to cut the budgets of some projects towards a desirable end. As a soldier will not be spared for the accidental killing of civilians in the process of countering terrorism, the onus for the welfare of the hungry falls on both policymakers and benefactors of such policies.

Suffice it to mention that in fulfilling our moral duty to the hungry, one does not need to be directly involved in the policy formulation or implementation processes in order to have an obligation. If the executive adopts a decision to benefit a few others, the latter have an obligation to give back to the deprived on whose back they have thrived. For instance, since the launch of the Broad-Based Black Economic Empowerment (BBBEE) in 2013, several ‘tenderpreneurs’ have benefited (sometimes) through corruption and kickbacks from the state.<sup>7</sup> This principle could equally be extended to historically privileged white communities and those who have inherited large tracks of land (which may be considered loot of the apartheid regime) and their obligation to extend assistance to the poor, since their gains somewhat compromised the prospects of millions of others. As bemoaned by *Dugard (1978: 73)* during the apartheid era:

[a] vast web of statutes and subordinate legislation confine the African to his tribal homeland and release him only in the interest of the agricultural and industrial advancement of the white community. When he visits a ‘white area’ as a migrant labourer he does so on sufferance, shackled by the chains of legislation and administrative decision.

Even though families who inherited lands and fortunes from the oppressive regime (as well as some who are alive today) could claim

<sup>7</sup> The BEE is a government intervention adopted to improve the economic participation and economic transformation of previously disadvantaged South African citizens, mainly African, Indian and Coloured populations. The term ‘tenderpreneurs’ is a portmanteau of ‘tender’ (to provide goods and services) and ‘entrepreneur’. It is a South African colloquialism for businesspersons who obtain state tenders or procurement contracts by using their political contacts, mostly as a token of reciprocal exchange of benefits or favours.



that they were not directly involved in the apartheid regime, they still had a stake and must, therefore, be willing to give back (at least) a minute percentage of their wealth to the famished, particularly within this period of excessive deprivation. More importantly, this principle could be extended to newly rich South Africans to assist their poor contemporaries, as they have benefited from recent state policies in the context of the BEE. Yet, whereas the state and few affluent individuals may have contributed to the current state of large-scale hunger, it is difficult to specifically earmark the degree of harm(s) caused by each party. Despite this challenge, it nonetheless does not negate the cardinal claim that these two actors owe a moral responsibility to alleviate the poor from their state of deprivation. This proposition flows from Kant's (1785) notion of humanity which avows that *all* moral agents have a duty to help others. To him, humans possess moral status not simply on the basis of being *homo sapiens*, but rather because of their *humanity*. Accordingly, all moral agents should treat other moral agents with dignity and respect, and see others as an end in themselves. Taking note that humans need the assistance of others in order to attain their target goals and objectives, we have a moral responsibility to assist each other towards the accomplishment of these ends. Moral actors such as political leaders and the affluent have a moral responsibility to refrain from mistreating the poor with disdain and rather extend true and genuine assistance towards their autonomy and self-sufficiency. It is, therefore, a taboo or forbidden not to enhance the survival of other humans, even though Kant does not specifically perceive this duty as mandatory. Granted that a reader agrees with this didactic, a normative question which cannot be quickly disposed of is: Is there an obligation to provide for households if their current deprivation was not triggered by white capitalists or politically connected individuals? In responding to this, it is important to emphasise that our negative and positive obligations are determined by the dependence of the have-nots on the haves, and failure to assist the former is to condemn them to perpetual impoverishment. There is, therefore, no moral justification to withhold assistance aimed at alleviating the plight of the famished, for just as humans are entitled to rights to security (irrespective of their social status), so are they entitled to subsistence rights, as failure to relieve them from their distress can be likened to depriving them of their human dignity and life (Dower, 2008). However, supposing that we all concur that truly, moral agents

have an obligation to intervene, the real question is what form of assistance and how much should each actor contribute? In responding to this, the [next section](#) will rely on historical and contemporary scholarship, religious doctrines, events and texts to set a benchmark which could be used to measure how *much* each person ought to be taxed to address the issue at hand.

### What Is to Be Given?

The section begins with the proposition that while it may be challenging to determine (at this point) the exact contribution or how much each individual should contribute, I argue that it is the perfect or strict obligation of a person to act by ensuring that others have food to survive. The notion of *strict* obligation serves as a blueprint or instructs individuals to pursue moderation in their quest for virtue. [Kant \(1785\)](#) emphatically opines that an individual should not provide assistance beyond one's capability or to a point where (s)he becomes vulnerable or deprived. Going contrary to this precept may be perceived as seeking to attain some sort of 'sainthood' or considering others as a means to achieving one's own spiritual end. [Singer \(1972\)](#), therefore, encourages the wealthy to provide for the poor until one reaches the level of marginal utility. In other words, a wealthy South African is encouraged to provide for the needy until such a degree that giving more will render the benefactor impoverished or bring about undue suffering them and their dependents.

The crux of Kant's dogma is that it entreats one to avoid both extremes: one must refrain from completely giving up one's entire livelihood for the benefit of others and/or completely decline to provide for others. In the first scenario, the dogma entreats the giver to be charitable yet, leave some resources for own use, while the latter calls on individuals to abstain from perceiving the purpose and ends of others as less significant than their own. It may be argued that while the first instance violates equity, the latter can be said to violate benevolence and perhaps, equity. A person who declines to assist the poor may argue that the *willing* philanthropist should give more than is required or the famished do not deserve any assistance, as they have no moral claim or subsistence rights. It may be commendable for one to devote oneself to a cause of helping the impoverished, but such activity should not be undertaken at the expense of one's livelihood, as such sacrifice makes the good Samaritan a means to the ends of others.

Overly sacrificing oneself may be seen as loathing oneself to the benefit of others, which proscribes the second golden rule of the Christian ethics 'thou shalt love thy neighbour as thyself' (KJV Matthew 22:39). This quotation triggers a key question which the chapter has evaded for a while: what specific role can the state and those in the richest square mile of South Africa play in this light? Four steps come to bear: (i) an overarching food security social contract in the form of Food Security Act (FSA), which must set out which target group deserves assistance, what should be distributed and in what quantity; (ii) the establishment of an institution to oversee this operation; (iii) a comprehensive budget to ensure the full, regular and continuous operationalisation of the programme; and (iv) how much each affluent person is to contribute towards this end. The last two benchmarks are important as they will provide an indication on how much can be drawn from state revenue, including customs and excise duty, value added tax, income tax and what required percentage should be allocated to each affluent person. Akin to the steps adopted by the state in response to the #FeesMustFall movement, the state could then add this percentage to the tax obligation of individuals earning beyond a certain threshold to be paid every month. In the wake of the #FeesMustFall campaign in 2015, the state decided to provide fully subsidised education for households with an income of up to ZAR 600,000 (US\$ 40,689) to cover the gap in the 2016/17 fee adjustment (Pather, 2017). It, however, withheld this intervention from the wealthy, identified as investment bankers, doctors and advocates.

Drawing from this positive discrimination, an imposition of poor tax across the board, from government officials to the private sector, would ensure high compliance without much contempt or resistance. An analogy of this principle is as follows. As at September 2019, the state imposes 18 per cent taxable income on persons beyond sixty-five years of age with a yearly income exceeding ZAR 116,150 (US\$ 7,877) p.a. or below sixty-five years of age with a yearly income exceeding ZAR 75,000 (US\$ 5,087) (SARS, 2019). Like the English poor tax, the state could impose a monthly ZAR 20 (US\$ 1.5) tax on these taxpayers to support the deprived. This implies pensioners and the working class will each make a yearly contribution of ZAR 140 (US\$ 9.5) towards the Food Security Fund, which will leave them with a considerable ZAR 116,010 (US\$ 7,866) and ZAR 74 860 (US\$ 5,076) respectively. Yet, it is unclear whether these contributions

alone will be sufficient to provide for the millions who are currently facing food insecurity, and even if it does, will the food or cash pay-out meet their nutritional requirements. To boost the budget of this undertaking, it is important for this call not to be limited to individuals alone, but extended to the private sector as most of these rake up millions of profits to the disadvantage of people. Inspired by the recently held *#SandtonShutdown* campaign, the state could impose a corporate tax of 3 per cent on all profits made by companies listed on the Johannesburg Stock Exchange (JSE) to be channelled towards this end (Pijoo, 2019). This proposal should not be deemed unthinkable as corporate South Africa equally needs to be held accountable, as they are not innocent bystanders in the dual challenge of poverty and food insecurity. Accordingly, this form of corporate social responsibility (CSR) or philanthropic activity will compensate for the regular price fixing and racketeering prevalent in the food market chain. Admittedly, if this duty is complied with by the wealthy corporate organisations, and backed by financial commitments from the state, it is possible that the poor tax could fundamentally transform the lives of food-insecure households. Nonetheless, the state has not considered this option and it is unclear whether it might in the near future.

Also, CSOs and religious bodies in South Africa do not perceive hunger as a major moral obligation to rally around and press for change. The few who have demonstrated some concern, often do so with the provision of evening meals to a few hobos on church premises or make food donations to those hit by flood, rather than calling for policy direction which could address food insecurity in a comprehensive manner. Speaking ahead of the country's 25th Freedom Day anniversary, President Cyril Ramaphosa mooted that the state needs to ensure that those without a means to earn a living and food 'can equally experience the economic and social benefits of freedom' (AFP, 2019). Suffice to say that three dominant CSOs – Oxfam, Centre of Excellence for Food Security and Studies in Poverty and Inequality Institute – engage in some form of food security advocacy, research and policies analysis. While their mandates and activities are closely aligned with the president's aspiration of eradicating poverty and alleviating hunger, they have not been strong advocates for improving the conditions of their target group, especially as their attempts have failed to attract the needed public support or significantly impacted on policy reforms.

## Why Bother?

But beyond the proposed tax, should the haves (individually) provide extra assistance to the have-nots to augment their basic needs? Indeed! Satisfying basic tax requirements does not relieve one from voluntarily donating alms to the famished. The haves may, in the comfort of their homes, crudely do an estimation of how much they can part with and then channel this amount to the food insecure through self-help or charity organisations. This recommendation is directed at those with more resources than they *need*, or those who could give up a portion of their income without endangering their livelihood.<sup>8</sup> In his ‘theory of human motivation’, Maslow (1943) listed a five-tier model of human needs, often portrayed as a pyramid of needs. His classification, however, could be collapsed into four deficiency (D) needs and one growth or being (B) need. In this particular instance, individuals inherently need to satisfy their D needs before proceeding to the latter. While group D needs constitute physiological (food, sleep, sex, warmth, clothing, shelter, drink and air), safety (freedom from fear, stability, law, order and security), love and belongingness (love, giving and receiving affection, acceptance, trust, intimacy and friendship), and esteem (prestige, status, independence, achievement, dignity and mastery), the B-need is basically attaining everything one desires. Keeping this in mind, a section of the affluent may decide to divert resources meant for charity towards the pursuit of higher needs. Perhaps, a subject within this bracket may argue that a heartless act towards the poor may inspire them to utilise their potential or make certain sacrifices, such as cutting down on procreation, tilling available lands or acquiring new skills. The key challenge with this proposition is that most of the famished are arguably ill equipped, ill trained and often excluded from key decision-making.

In classifying his position on the most fundamental of needs, Maslow (1943: 375) mooted that ‘[i]t is quite true that man lives by bread alone – when there is no bread’. Flowing from this, the chapter argues that once the wealthy have plenty of bread and are well fed, they have a moral duty to at least extend the crumbs or leftovers to the poor so that they could effectively use their bodies and wits to aspire to higher needs and self-actualisation (Hoffman 1988). It is believed that if all

<sup>8</sup> Something becomes a need when it is a requirement or very vital rather than simply desirable.

wealthy persons commit to this cause, the state could put brakes on the widespread food insecurity. The contribution of one or few without the support of majority will, sadly, not be sufficient or ultimately a drop in the ocean. The actions of the unkind might in some cases even disincentivise the kind-hearted to continue with their generosity. The rippling effect may be grievous as the contribution of the few may not adequately reach the larger population of the needy, and even if resources are stretched, the quality of food may not be as nutritious. Fortunately, this could not always be the case. It is anticipated that if some refuse to donate, their unmet portion might then be shifted to those with the ability to provide more than their allotted contribution. In this case, a hard question staring us in the face is: Is one ethically obliged to contribute more if one's neighbour is uncharitable? Put differently, is one absolved from their obligation to provide further assistance if others decide to withhold their contribution? If the response to the second question is in the affirmative, then the famished will essentially be rendered helpless, which is amoral. To [Singer \(1972\)](#), persons who subscribe to the second question are either lazy or merely aligning themselves to lame justification as numbers does not automatically exempt one from his/her responsibility. At a basic level, a simple though not simplistic response to the first question might be that giving a fair or more share does not exonerate or release one from further obligations. If an elderly couple, Veronica and Pokie, are trapped in their retirement village which is engulfed in flames, can one say one has *fairly* performed one's moral duty by saving one while the second burns, since the next person failed to join in the rescue? The Bible (in) directly responds to this question when God commands Christians to give generously to the hungry, and anyone who obeys this commandment will receive blessing. To be exact, Proverbs 19:17 reiterates that '[t]he generous will themselves be blessed, for they share their *food* with the poor' (own emphasis).

In addition, charity is mentioned dozens of times in the Quran, and followers of Islam are reminded to practice 'regular charity'. Among the plethora of charity-related verses in the [second chapter](#) of the holy book is Surah Al-Bagarah 2:274, which moots that '[t]hose who in charity spend of their goods . . . have their reward with their Lord'. In African traditional religion, there is the popular notion of 'ubuntu' or 'humanness' ([Nkrumah, 2019: 193](#)). The notion, often translated as 'I am because we are', captures the spirit of being human and calls for

humanity towards others (Metz, 2007). Presumably, there might be atheist, Buddhist, Chinese or Hindu versions to these concepts.

These religious principles, however, raise two counter discourses. First, the moral duty to give more towards charity could ultimately plunge the donor into becoming merely a means to the ends of others. That is, resources meant for improving one's safety, love, belongingness, esteem, personal growth and self-fulfilment have to be rerouted to the hungry. Therefore, in order to balance and achieve other higher needs, one needs to practice Kant's (1785) admonition against undue overburden or going overboard. Second, they do not clearly set out how much money, effort or time an individual should dedicate towards providing the basic needs of the poor and hungry. Regardless of these ambiguities or lack of conceptual clarities, the utmost supplication of these dogmas is that providing assistance beyond one's exact allocation is morally gratifying as '[p]eople curse those who hoard their grain' and the 'one who gives freely, gains even more' (Proverbs 11: 26; Proverbs 11:24).

Needless to say, the moral obligation of the affluent should not be limited to monetary contribution alone, but could be instrumental in bringing about policy shift. For instance, of the approximately 27 million registered voters in the country, if a million decide to double their time and effort in sending a yearly petition to their respective members of parliament calling for the adoption of FSA, this will be considered as enormous pressure by the national assembly to revolutionise social policy in this domain (ECSA, 2021). Without losing anything of enormous value, this small percentage of voters could, moreover, intensify the number of petitions sent yearly while motivating others to do the same. In stark contrast to the tax contribution, there is no exact benchmark on how much (time and energy) each individual should invest in this context, especially as this is not so much about fulfilling strict obligations, rather about living up to an ideal duty to assist a specific vulnerable group. In this sense, one could actually contribute more than what the community or nation expects, even in instances where there is no established threshold one ought to meet. Similarly, some may decide to double or quadruple their efforts by researching and generating in-depth understanding of the remote and immediate causes of hunger, the needed remedies or required institutional response.

This aspect brings to bear an important theoretical question: Should the provision of petty cash or food to poor black households by affluent

rich communities be considered as an act of *charity* or *responsibility*, particularly in light of the country's historical trajectory? Undoubtedly, handing a few cents to car guards, panhandlers and hobos in malls or urban parks are perceived as acts of benevolence and seen so by recipient. When they receive these generous hand-outs (whether a coin or leftovers), the beggar will bow in appreciation and thank the benefactor for his/her *kindness*.

By giving to the hungry, one is saving the famished from agony and possibly death, while spending on perfumes or new accessories does not necessarily satisfy any specific need. Still, it is not seen as unethical when a woman declines to give to the poor, as generosity is not considered an obligation, but rather as an act of charity. Like anywhere else, an uncharitable (wo)man in South African society is not criticised, even though the charitable one may be applauded. Yet, with reference to the religious texts, there are admittedly some acts that can be considered as charitable and others, a duty. Although it is beyond the scope of this chapter to engage in theoretical contours or distinction between these terms, in the case of South Africa, the provision of food and other basic necessities to black communities by wealthy white (wo)men and political elites should be seen as an obligation rather than charity. Related to this is the occasional distribution of food parcels by retail chains, Woolworths, PicknPay and Shoprites. Receivers of these packages ought not to applaud these supermarkets, as their acts have neither moral value nor were dispensed on moral grounds. In most instances, these donations seek to serve ulterior motives, including meeting CSR, beating tax obligations or getting rid of possibly expired commodities.

However, in line with the proverbial saying of 'teach others to fish, and not just give them fish', while the chapter has argued for the provision of assistance to the food insecure, such assistance should not be given to the extent that it inhibits the potential of recipient(s) to be self-reliant or emerge out of their plight. It is obvious that over the last two decades, the state has operationalised a social welfare system for a selected group of people with special needs (disabled, very old and young), but has failed to establish an exit strategy for these groups. Young beneficiaries exit the system at eighteen years of age, and ultimately join the vast number of unemployed and food-insecure population. Presumably, the continuous assistance of the state to social welfare beneficiaries has reduced the latter's ability to strive and



make a living for themselves, even though there is no sufficient evidence to support this claim. It is, therefore, important that the state partners with relevant stakeholders (CSOs and affluent communities) to provide opportunities for individuals in this domain through job creation, education and skills development. These measures, coupled with the provision of land for own production, could assist underfed households to be self-sufficient or with basic wages to have sustainable access to decent meals.

## **Discussion and Conclusion**

The central objective of this chapter was to contrast arguments for and against the provision of food and basic cash transfer to the food insecure. It begun by tracing the prevalence of hunger in post-apartheid South Africa and argues that the state and the affluent (beneficiaries/descendants of the apartheid system and the emerging black middle class) have a moral obligation to use their resources to ameliorate the plight of the hungry. The chapter demonstrates that using one's salary for luxurious items rather than channelling some of it to the wellbeing of the famished is immoral. This is based on the belief that followers of African traditional religion, Christianity, Islam or other sects share a common belief that each individual was born to perform a specific task, small or large, with some destined to use their intellect or resources to assist others. The chapter relies on basic theological principles as a means of demonstrating that passivity or failure on the part of the rich to assist the hungry is unethical, and that charity should be an aspiration of every religious or secular being. It argued that giving to the food insecure should not be seen as an act of charity by the affluent, retail chains or corporate South Africa as these actors have benefited by exploiting the poor, mainly in light of the country's historical trajectory and unfavourable economic policies. The chapter concludes by stating that it is not enough for the state to set up a poor tax system, but that it is necessary to assist vulnerable groups to be self-sufficient through the provision of quality education, skills development, job creation and land distribution.

# 9 | *What Is to Be Done: Overcoming Policy Fragmentation in South Africa*

## Introduction

Since the collapse of apartheid, South Africa has adopted a series of policies to enhance people's economic and physical access to food, either through procurement or production. As discussed in [Chapter 5](#), besides the Constitution – which emphatically calls for people's access to adequate food – other policies have been framed to achieve this end. Yet, as noted in [Chapter 6](#), most of these policies aim at enhancing food availability rather than its accessibility. In this sense, despite South Africa's food-secure status, there is deterioration in nutritional intake, inadequate access to basic food basket and widespread malnourishment. There is, therefore, a degree of consensus among scholars, rights activists and their fellow travellers that the percentage of food-insecure households is appallingly high ([Nyirenda et al., 2018](#); [Chakona and Shackleton, 2018](#); [Nkrumah, 2019](#)).

It goes without stating that food insecurity is not a temporary condition, but rather a chronic situation threatening the life and health of millions of South Africans ([Nkrumah, 2019](#)). While inadequate access to food may be triggered by multidimensional factors, in the case of South Africa it is mainly about (in)direct access to entitlement or cash to buy grains, fruits and vegetables. The plight of the poor has not only been worsened by the high unemployment rate sparked by mass retrenchments, but price hikes in basic services including electricity, petrol and housing which have trickled down to food cost. This trend is not only visible in urban settings, but also in rural areas where larger sections of the population depend on purchased food due to lack of land for own production or small-scale farming. The plight of the rural household is compounded by two challenges. First, the predicament of the 'missing middle' or exclusion of the unemployed able-bodied from (non)state welfare programmes (WPs). Second, the commodification of food produce through the extension of supermarkets and other agri-food supply

chains into remote areas. Even though owners of these businesses may, on the one hand, argue that they have enhanced customers' proximity to food source, these ventures have, on the other hand, adversely altered the food preferences of these individuals. As argued elsewhere, rural residents have, therefore, developed a taste for processed and expensive food, as opposed to locally produced and cheap food commodities from their backyard (Nkrumah, 2016).

On that account, overcoming urban and rural food insecurity requires the adoption of framework legislation, in the form of the Food Security Act (FSA) and complemented with a vibrant institution responsible for ensuring the efficient implementation of this instrument. Yet, given that the predicament of the hungry is often highlighted during political campaigns but not much is done about practical measures to alleviate their plight, the chapter assesses how political will could be mobilised to put brakes on the country's food insecurity. Given that the majority of South Africans are main consumers and not producers of food, the chapter interrogates the establishment of a robust WPs, who should be included and what should be distributed. As WPs come in various forms and shapes, it is recommended that this intervention should emanate in the form of FSA in order to guarantee it the legal status necessary to thrive under the current political climate. On the basis of this theory, the chapter begins with a brief definition and a quick history of WPs, then proceeds to assess some of the (de)merits of WPs and what benchmark should be used to determine individual and/or household eligibility. The chapter concludes with recommendations on how policymakers could act as checks on each other to bring about the adoption of FSA to enhance short-, medium- and long-term food access for the hungry.

### **The Rationale of Social Welfare: In Pursuit of Equity**

WPs may be defined as any free or subsidised commodity(ies) or cash granted by the state to a selected group of people. As its name implies, the objective of WPs is to assist individuals to cope with life's unpleasant situations, particularly those triggered by unemployment, retrenchment or illness. This form of largesse may spring from two sources: public or private. Officially dubbed a public welfare system (PUWS), the first encompass provision of temporal or permanent redistribution of commodities, food or stipend by a non-governmental organisation

(NGO), donor agency or the government to alleviate the plight of a vulnerable group. The current social grant in South Africa and other regimes is a classic illustration of this form of transfer (Nkrumah, 2018). The second source, termed a private welfare system (PWS), is tied to individual charity, remittances and other informal support to the poor in one's society or extended family. In this domain, remittances, charity to neighbours and/or the famous 'black tax' are some of the classic illustrations (Ngwadla, 2018).

WPs may play either promotional or protective roles. As these words imply, whereas the *promotional* WP seeks to improve the living standard of people through micro-credit facility, subsidised employment or sustainable paid work, *protective* WPs are aimed at forestalling severe hardship by handing out food parcels or distress grants when events take an unfavourable turn. Ultimately, while protective WPs are essential for recipients to bridge their short-term consumption deficit, a successful promotional intervention will forestall the continued provision of assistance or subsequent protective WPs.

The provision of WPs may be justified on political or moral grounds. Poor relief may be perceived as political/supplementary intervention if the aim is to win votes by delivering food and other basic commodities during election season. In other words, a specific party may assume power on the basis of a political campaign or manifesto which makes the claim that it will adopt and operationalise positive discrimination as a means of addressing past injustice. This is clearly illustrated in the case of the ruling African National Congress (ANC) which adopted the Broad-Based Black Economic Empowerment (BBBEE) as a means of alleviating black poverty, or say, bring the majority of blacks at par with their white counterparts (Pike *et al.*, 2018).

Morally, the distribution of aid is either to cut down on high levels of poverty, save lives or reduce the suffering of the poor and vulnerable. Intervention under this moral umbrella may also be applicable in cases where food is distributed in response to emergency and/or natural disasters like drought. This form of assistance generally plays four key roles: (i) cutting down on the severity of hunger; (ii) unemployment insurance fund for the retrenched; (iii) pension for the retired; and (iv) social security for the unemployed.

The moral imperative for granting WPs, however, trigger a key question: can South Africa operationalise WPs similar to the English poor law or India's Food Security Act (IFSA)? To some commentators,

akin to its contemporaries in the Global South, South Africa is ‘broke’ and not well-positioned to assume this responsibility (Lamola, 2019; Mashele, 2019). This assertion may not be entirely true, especially if one contrasts the current figure of hungry people, the high volume of food produced, and the R4.8 billion (\$3.3 million) lost through ‘state capture’ or irregular contracts awarded to entities doing business with state-owned enterprises (Gevisser, 2019; Pijoo, 2019). In addition, the state has an advanced social security network which could easily absorb the missing middle without having to build a completely new dispensing mechanism. This observation raises a second question: who qualifies for food security intervention?

Determining who needs poor relief induces best practice, such as benchmarks used by previous or existing food security interventions. As discussed in Chapter 8, beneficiaries of the 1597 English Act for the Relief of the Poor were those willing but unable to secure jobs to sustain themselves and/or their families. In contemporary times, however, section 11 of the 2013 Indian FSA calls for the identification of eligible households through targeted mechanisms or those falling below the national poverty line (NPL). In determining who meets the threshold, three phases come to fore, with their distinct (de)merits. The first phase may be classified as self-benchmarking or particular hungry people approaching the government for food assistance (Pfeffermann *et al.*, 2014; Broome and Quirk, 2015). This approach allows the food insecure to select themselves. In stark contrast to the other two procedures, framers of WPs are more inclined to adopt this due to its high accuracy and less costly nature. In an attempt to improve the conditions of the have-nots and limit the exploitation of the mechanism by the haves, two restrictions may be imposed – either stringent eligibility criteria or distribution of meagre relief as a means of discouraging the affluent from partaking. As an illustration, giving that the rich have certain food preferences, a classic positive discrimination in the form of subsidies or zero tax-rating on pro-poor food will suffice. Normally operationalised through existing market systems, food subsidies are a cost-effective intervention in terms of needed infrastructure, cutting down on administrative personnel, and penetration into the most remote places of the country (Besley and Kanbur, 1988). Despite these merits, the approach is riddled with other demerits including exclusion of a significant percentage of the unemployed as they may lack the basic amount of money to purchase the subsidised food. Subsidies, therefore, result in having

minimal impact on the livelihood of the targeted groups as they are still cut off due to financial constraints to access these products. In this sense, state relief for the poor and unemployed must transcend partial to full-scale subsidies in the form of free hot cooked meals, especially where price regulation is weak outside urban centres.

The second phase may be classified as group benchmarking or selecting people based on specific yardsticks such as disadvantaged community, infirmity, gender or age. This approach has two advantages. First, it allows for cheap and timely identification of beneficiaries and disbursement of funds to target groups. Second, it is less vulnerable to deceit, less expensive and less complicated as earmarking hungry individuals on the basis of their gender, age or location is easily discernible. Its simplicity is attached to the allocation of funds based on proxy demonstration of a group's susceptibility to hunger. To this end, eligibility for relief is based on possession of general features as opposed to the assessment of specific individual challenges. It goes without saying that contemporary South Africa relies on this approach in the operationalisation of its social grant programme. Proxy indicators used in social security are grounded on demography, with emphasis on two key traits, age and disability. Accordingly, beneficiaries of cash transfers are the elderly, children and the disabled.

The final category may be termed as individual benchmarking or selecting a person on the basis of level of hunger. While being a costly and complex process to administer, this form of earmarking may be seen as the most precise and impartial. It encompasses contrasting the nutritional status or wage of each applicant to an existing minimum benchmark, specifically a NPL in order to determine their (in)eligibility. In this context, thorough background check of applicants is imperative as some may be dishonest about their economic status or hide the real value of their wages. Thus, any attempt to achieve accuracy will be useful in curbing the affluent's exploitation of PWs, even though it may impact on available funds meant for distribution. For instance, in an attempt to ensure accuracy in the distribution of cash or food stamps, the relevant department may incur unintended high administrative costs such as the hiring of qualified accounting staff, creating a reliable banking system and a good market system to enable beneficiaries to redeem their stamps. For clarity, eligible families in this group may be the extremely poor or those living on less than \$1 per day, those without stable income or whose income are woefully inadequate

to guarantee sufficient food for sustenance. Needless to say, while this form of benchmarking has a demerit of being expensive, it ultimately enhances efficiency and cuts the cost of WPs as it forestalls leakage of benefits. These various classifications prompt one to inquire which one is most suitable for addressing the needs of the food insecure. But before that, a brief summary of current pro-poor interventions suffices. Given that the programmes targeting the ‘impotent poor’, namely the aged, infirm and young have been discussed in [Chapter 6](#), this section will only focus on how to reverse their ineffective implementation at (sub)national levels.

### Recapping Barriers to Food Security

Considering that people’s food access is underpinned by minimum wage and unemployment, any WPs must be multisectoral, and still ensure coherence in policy operationalisation. Policymakers must reflect on this recommendation as the challenges inherent in food production and distribution are not isolated but co-exist. It was in this context that some observers mooted that the *2012 National Development Plan* (NDP) and *2014 National Policy on Food and Nutrition Security* (NPFNS) were adopted to address fragmentation in food security programmes ([Hendriks and Olivier, 2015](#)). Indeed, the policies oblige local municipalities to coordinate and align their programmes with provincial and national administration, with emphasis on addressing material poverty and chronic hunger ([Nkrumah, 2019](#)). Yet, considering that more than half a decade later, prevalent fragmentation and insufficient collaboration among relevant state institutions persist, one could safely claim that these policies were short-sighted and/or failed to forge a solid framework to overcome existing policy and institutional incoherence. Consequently, it is of little importance to adopt one soft law (policy) to address the challenges of an existing soft law, as a policy can be equated to a political manifesto which a government has the choice to fulfill or not based on its whims and caprices. Also, it could be argued that failure to comply with policies warrants no serious consequence for a government as it bears no legal stamp.

As a doctor cannot achieve different results by applying the same antidote, the state also cannot achieve policy and institutional coherence by adopting similar policies, or merely rebranding existing

policies. The failure of the state in this arena is reflected in the poor collaboration between the Department of Basic Education (DBE) and the Department of Planning, Monitoring and Evaluation resulting in the poor operationalisation of the school feeding programmes. It was in this light that Nkrumah (2017) bemoaned that as a result of fraud occurring in the central procurement unit of the DBE, some pupils have become undernourished, stunted and overweight as a result of the inadequate and non-nutritious food being served. In extreme cases, the government's late and/or non-payment of food suppliers and handlers leads to delivery of inadequately nourishing diets or non-delivery of food leading to some learners going through the day without food (Devereux *et al.*, 2018).

Indeed, this development underscores the urgency for an overarching binding legal framework and institution to perform three primary roles: (i) whip up political will towards prioritising food security; (ii) overcome institutional fragmentation; and (iii) provide a mechanism for redress. A cutting-edge instrument that ticks all these boxes is a Food Security Act (FSA). An Act, akin to other hard laws like conventions or constitutions, is often framed with the participation of key stakeholders from national and grassroots levels. This form of consultation holds the promise of forging an instrument that sets out feasible deliverables, proactive early warning systems, emergency response systems, targeting and registration methodologies, delivery, enforcement and compensation mechanisms. It may entrench other features such as evaluation and monitoring systems, continuous surveillance of operational mechanisms, accountability systems and, ultimately, an appeals body. A casual or detailed reading of existing food-security-related policies such as the NDP and NPFNS shows that these policies omit these cardinal features, thereby making them unattractive documents for donor support or promotion of an entitlement. Further, to ensure timely delivery of assistance to the poor, a prospective FSA must clearly list operational strategy with detailed timeframes, deliverables, expected outputs, outcomes, and appropriate evaluation and monitoring systems.

Yet, given that mere adoption of a legal instrument does not necessarily translate into practice, the FSA must call for the establishment of a specific government department to undertake this task. Circling back to India's Department of Food and Public Distribution, perhaps a similar department will be essential in South Africa. To adequately



reflect its role, this mechanism could be branded as the Department of Food Security (DFS), and with the primary mandate of ensuring effective cash transfer and provision of free staple food to targeted families. Given that the state has already instituted some measures, to be exact the imposition of zero-taxation on fourteen food items, it may undertake the further step of stocking and distributing these items to the unemployed and highly food-insecure households (Mzizi, 2014).<sup>1</sup> The free distribution of these commodities is important as they attract the conventional 14 per cent value-added tax (VAT) the moment they processed, or sold as part of a meal, refreshment or prepared for further sale (Nkrumah, 2017: 152). On account of this, a supplementary cash transfer will help recipients offset any extra charges incurred in their attempt to consume nutritious food or access other things needed in the preparation of food, such as kerosene, electricity or firewood. Even though this suggestion may seem modest, it could significantly improve the nutritional needs of millions who bear the brunt of chronic hunger.

It is worth noting that the call to establish a DFS is not farfetched, considering that virtually all the listed socio-economic rights in the Constitution have their respective Acts backed by operational bodies. As their names connote, the Department of Education is responsible for the Schools Act 84 of 1996, Department of Water Affairs implements the Water Act 36 of 1998, Department of Social Development (DSD) is responsible for the Social Development Act 3 of 2001, and the Department of Health is the operational agency of the Health Act 61 of 2003. The creation of a single food security agency will eliminate waste, ensure coherence and address overlapping roles among many departments with food security mandates. In essence, this objective could be attained by extracting from, and consolidating all the fragmented food security programmes under the various departments into one single umbrella agency, the DFS.

The formation of a DFS will have the added advantage of enhancing efficient and timely distribution of economic entitlements such as food parcels or cash transfer to targeted households. What will distinguish this department from others, such as the DSD is that it will exercise an

<sup>1</sup> These food items are samp, maize meal, dried beans, dried mealies, rice, frozen or fresh vegetables and fruits, edible legumes and pulses, brown bread flour, brown bread, milk, canned or tinned pilchards, eggs (from hens), lentils and cooking oil (excluding olive oil).

additional mandate of assessing food stocks, evaluating and monitoring agricultural production, overseeing the purchase of food supplies for deliveries, and supervising the targeting of families, building of warehouses for stock storage and timely distribution of staple food at centres. Further, to ensure that prices of food commodities are within the reach of ordinary citizens, the DFS must serve as a regulatory body responsible for controlling prices of locally produced or imported commodities, especially given the country's existing neoliberal market policy which has mainly enriched large food companies while impoverishing local farmers and consumers. An instructive illustration worth citing is *Mukaddam v Pioneer Foods (Pty) Ltd and Others*, where three major food producers (Premier Foods, Pioneer Foods and Tiger Brands) were found guilty of price fixing a week before Christmas. For this reason, the coming into operation of the DFS will be instrumental in averting similar cartels or racketeering, mainly by shifting control of food markets and systems from agribusiness back to peasants, smallholders and small food enterprises (CompCom, 2017).

In a nutshell, binding legislation in the form of FSA with an operational body in the shape of DFS is non-negotiable if household food insecurity is to be alleviated. This step will reinforce the government's obligation to ensure that those susceptible to chronic hunger are provided with basic staple food and some form of minimum cash transfer, while fast-tracking legal remedies or compensation for the hungry. Having said this, one could perceive that calling policy makers to demonstrate greater political will is highly unlikely in light of government's indifference to the plight of the food insecure. This begs a pressing question: how can political will be mobilised to stimulate the adoption of the FSA and DFS? In this context, a more strategic approach is needed, based on an understanding of the distinct variables which determine state policy in this political setting. In this respect, the [next section](#) interrogates how the political will of decision makers could be galvanised by (non)governmental agencies for this purpose. But before that, what is 'political will'?

### **A Tough Road Ahead: Mobilising Political Will for Food Security**

The notion of political will can simply be perceived as a desired effort or an act expressed by a political player to trigger an expected result (Kapoutsis *et al.*, 2015; Zalmanovitch and Cohen, 2015). Since this concept is rarely invoked except by its absence, one could moot that it is

present only when a specific agency, collection of individuals, designated person or actor has the will to generate/produce a desired/favorable outcome by committing/investing political capital, resources, energy and time. The main, though often not in isolation, political actor in this chapter is the state, and the reform sought is that of measures to avert hunger which affects the physical and mental state of people. The chapter has argued that this objective could be attained through the adoption of a FSA and the establishment of a DFS backed by adequate resources.

In practice, food insecurity remains one of the key threats to human life and health, yet the state has not paid particular attention to this issue as it is perceived as a private problem rather than social crises (Crisp, 2018). Nonetheless, a private issue evolves into or becomes a good candidate for social crises based on the high number of individuals (who might be) affected, the intensity of the problem, and when it attracts the attention of major stakeholders such as the media, opinion leaders and policy actors. For instance, while initially being perceived as a private affair, the HIV/AIDS crises gravitated into a national one in 2007, particularly when it was projected that millions of South Africans were battling with it. To curb the crises, the state resorted to both proactive (condom usage and male circumcision) and reactive measures (large-scale free treatment of HIV/AIDS patients). However, as discussed in Chapter 4 of this book, the role of one policy actor, the Treatment Action Campaign, was instrumental in galvanising political will for patients' access to free antiretroviral drugs.

Policy actor in this chapter covers any relevant (in)formal individual(s) or groups with the objective of influencing social policy formulation or implementation, in particular the FSA.<sup>2</sup> Recognising that policymakers' resort to invited spaces or existing political processes to develop social policies, it is imperative to briefly consider how policy actors within and outside government institutions can trigger a reform. Returning to the 1996 Constitution, chapters 4 to 8

<sup>2</sup> Social policy may be defined as a subset of public policy with focus on addressing specific social needs, including food, human services, health, employment and sanitation. In seeking to bridge the gap between society and the individual, it sets out specific guidelines, timeframes and means of realising a particular social right. Examples of instruments in this regard may include Social Security Act, Housing Act, Education Act and Health Insurance Act.

of the instrument strategically entrenches the dual principles of separation of powers and checks and balances in order to ensure that the three arms of government act as a watchdog on each other or influence the (in)actions of others. Further, to ensure that these organs are amenable to suitable recommendation from other institutions, [chapter 9](#) of the instrument sets out other major policy actors to shape the contents of policies which impact on the lives of people.

While the tripartite division of authority among the executive, legislative and judiciary has the noble intention of protecting abuse of power, it nonetheless poses the challenge of delaying policy framing and implementation. That is to say, the current fragmented policy actors and their overlapping food security mandates may lead to policy gridlock by exacerbating the complexity and difficulty of forging FSA. The [next section](#) looks at the prospect of key institutions bringing about a FSA against the backdrop of their respective internal challenges. Emphasis will be placed on the institutional challenges which might threaten the forging of this instrument, particularly as the roles and rules of institutions may have an impact on the content, structure and operationalisation of any legislation.

### *Parliament: Political Stalemate*

The first major hindrance worth citing is the political stalemate or lack of expertise of members of parliament (MPs) on food security issues. South Africa has a two-tier or bicameral parliament – the National Council of Provinces (NCOP) and National Assembly (NA) – with each having its own unique composition and operational style. As the upper house, and similar to the Senate in most countries, the former represents the governments of the provinces with ten delegates drawn from each of the nine provinces ([Geisler, 2000](#)). The NCOP has the power to reject, propose amendments to, or consider all national bills. Performing a similar function as the NCOP, the NA however, represents the people rather than provinces and composed of 400 members elected every five years through a party-list proportional-representation system ([Ahmed, 2009](#); [Hills, 2015](#)).

Bills introduced into parliament are first referred to relevant portfolio or joint standing committee for consideration. These committees have eclectic influence on the content of bills as they have the mandate to accept, modify or reject them. It may reach any of these conclusions

through an assessment of the merit of such proposed legislation by canvassing for opinions through public hearings and expert advice from bureaucrats, the academic community, think-tanks and major civil society organisations (CSOs). Based on the recommendation of the committee, the NA or NCOP may then proceed to amend or pass a law through two-thirds vote of members present and signed by the president.

While parliament's numerous (sub)committees create a division of labour, thereby, intensifying a speedy assessment of a prospective Food Security Bill (FSB), their composition (ruling and opposition party members) and lack of expertise may either lead to deadlock, undue delay or passage of an Act which fails to capture much-anticipated content. There are two other looming hindrances. First, some of these committee members double as ministers and frequently absent themselves from parliamentary deliberation (Nijzink, 2001). Second, electorates do not have complete control on the conduct or tenure of office of MPs as voters vote for a party and not individuals (Faure, 1997). The loyalty of MPs, for this reason, lies with their parties and/or the agenda of the party leaders who draw up the party list. Given that the ruling party has about two-thirds majority in the NA and has not taken sufficient measures over the last two decades to overcome food insecurity, it is high time pressure is exerted on MPs to forge a FSA. To be exact, focus should be placed on lobbying, writing open letters and launching peaceful campaigns targeted at ANC MPs; in light of their massive number, and they may hardly need the support of opposition parties to pass such a bill.

### *Executive: Lacking Political Will*

A second arena of generating political will is by reminding the executive of the responsibilities they freely assumed, by virtue of accepting appointment or contesting for elections. In stark contrast to several (African) countries where citizens directly vote for their president, in South Africa he is elected by the NA and represents the interests of MPs (Makiva and Ile, 2018). The president then appoints his ministers who are responsible for agenda setting, and policy formulation, adoption and implementation. It is worth noting that previous administrations, to some extent, adopted considerable poverty-alleviation strategies, with notable examples including the Mandela–Mbeki Reconstruction

and Development Programme and Jacob Zuma's free HIV/AIDS treatment (Lyons *et al.*, 2001; Mottiar and Lodge, 2017).

It is worth noting that since the president and his aides are political players, in most instances they owe their allegiance to their electoral stronghold. As in many other African countries, South Africans support and vote for a party on the basis of their culture, traits, identification with the candidate and often on racial grounds.<sup>3</sup> Given that a vast majority of supporters of the ruling party and the 'new kid on the block', Economic Freedom Fighters (EFF) are black South Africans, it would seem an attractive and popular project for the ruling administration to table a FSB for parliamentary deliberation or public comment (Nkrumah, 2019). Arguably, the translation of such a bill into an Act will enhance the political and electoral prospect of the ruling regime or any opposition party with the courage to undertake this initiative. Yet, given that the ANC has majority MPs and the right structures and resources at its disposal, yet has neither adopted nor implemented a FSA, provides an indication of the executive's unwillingness to go down this road. This lack of political will opens the door for the judiciary, human rights institutions and CSOs to mount pressure on the executive to act.

### *Judiciary: Activist Judges*

The third arm of government with the mandate to contribute to this debate is the judiciary. Headed by an eleven-member Constitutional Court, the courts have the last word on the interpretation of social policies. The judiciary may contribute to the adoption of FSA by finding the state in violation of section 27, especially in the face of prevalent hunger. This will call for reimagining the notion of the right to food and declaring exclusion of the 'missing middle' from social assistance programmes unconstitutional (Hendriks and Olivier, 2015). In this context, the courts could use its creative interpretative machinery and call for parliament to amend section 3 of the 2004 Social Assistance Act to include the food insecure. Further, it could oblige the NA to consider formulation of a FSB as they are legally obliged to ensure the wellbeing of their electorates. This recommendation echoes

<sup>3</sup> As discussed in Chapter 5, the vast majority of the food-insecure households are black.

a recent case where the High Court entreated parliament to revise sections 34(1)(b) and (d) of the Immigration Act to ensure that suspected illegal immigrants receive prompt legal assistance (LHR, 2003).

While the judiciary has demonstrated itself to be an activist instrument through its numerous ground-breaking decisions, it could not unilaterally issue directives to the executive or NA without an application. As explored by Nkrumah (2019) elsewhere, the protective role of the court could be utilised only through successful litigation, which could be attained through a well-articulated argument. And for such a decision to be handed down, applicants may need to demonstrate that the exclusion of the missing middle from WPs poses a threat to their survival, especially in the case of pregnant women and unborn babies (Oxford, 2018). The sorry state of affairs was vividly described by a poorer pregnant woman who bemoaned that she often asks for 'help from the neighbours, so that I can get something to eat' (Scorgie *et al.*, 2015: 7). With cases of tertiary students and children with immigrant parents who are in desperate need of food and yet cut off from social assistance, the court may be amenable to handing down a judgement which oblige the executive to frame an overarching FSA to address this glaring state of desperation.

### *Chapter 9 Institutions*

Beyond the mainstream policy actors, section 187(1) of the Constitution calls for the establishment of two important institutions for the advancement and safeguard of gender and human rights. As its name sounds, the Commission for Gender Equality (CGE) is obliged to monitor and evaluate the activities of (non)governmental agencies towards enhancing the development of gender equality in the country. Consequently, it could use its powers to make recommendations to both parliament and the executive on the urgency for the adoption of FSA, for while the state provides some form of WPs to mothers who meet a certain low-income threshold after birth, pregnant women are excluded from this programme. As observed by Abrahams (2017), besides unemployment and partner abuse, one of the major factors to impact the mental health of pregnant women is food insecurity. The food and nutritional needs of pregnant women is urgent as they not only need it for the healthy development of the foetus, but because they are prone to increased appetite and resulting starvation. This assertion

is better illustrated in the statement of twenty-four-year-old unemployed woman who recounted that 'I get hungry all the time . . . I cannot wait to eat later in the day as I used to wait before pregnancy' (Scorgie *et al.*, 2015: 6). The CGE could, accordingly, use its mandate of receiving and adjudicating cases to invite application from CSOs or partner with one in order to lobby or pressure the executive and parliament to frame a comprehensive FSA which prioritises the nutritional needs of expectant mothers as entrenched in the Indian FSA.

The South African Human Rights Commission (SAHRC) is the second institution mandated to investigate, receive complaints and make recommendations on human rights issues, including food security. In particular, section 184(3) of the Constitution obliges it to receive yearly reports from state departments on the steps taken to advance people's civil/political and social/economic rights. This mandate is symmetrical to the state reporting mechanism under the UN Committee on Economic, Social and Cultural Rights (CESCR). Given that the Constitution imposes an obligation of justification on the state, the SAHRC could question the state why it has adopted binding instruments and institutions to promote all the relevant socio-economic rights (water, health, education, land and housing) to the exclusion of food? An unsuitable response to this query could incite legal action or be used as a yardstick to lobby MPs, name and shame the government, mobilise for accountability or be used as a pretext by opposition parties to mount pressure on the ruling administration. Besides these mainstream policy players, the next section takes a look at how informal policy actors could interact with formal policy actors in generating a FSA in the coming years. While different entities may fall within this camp, our emphasis here will be limited to the specific role of non-governmental organisations (NGOs).

### *NGOs: Uneasy Alliances*

South Africa has witnessed a surge in the number of NGOs over the last two decades, and these organisations continue to shape policy in areas of land, healthcare, housing and education. Even though they are neither sponsored by the state nor function as a private venture, they seek to provide public goods and/or services to a target group. The most common strategies used by these organisations span from engaging in advocacy to litigation against (non)state actors for non-compliance with constitutional obligations. For those who are strong proponents



of public action, this camp often resorts to direct lobbying of the executive/MPs or indirect lobbying through grassroots mobilisation or public education campaigns.

While some of these organisations identify themselves as pro-food security organisations, their contribution in this sphere has been minimal. For instance, as discussed in [Chapter 4](#), though an opportunity presented itself in 2015 when the DAFF announced a proposed Food Security Plan for public consultation, the concern of three NGOs – Oxfam, Studies in Poverty and Inequality Institute (SPII) and Ekurhuleni Environmental Organisation – was that they were not adequately consulted during the drafting stage of the policy. Rather than using this new policy as a launching pad in order to press for the adoption of binding FSA, they merely dispatched a handful of staff to present a memorandum to the department urging for a proper consultation in future policies ([Tuwani, 2015](#)). This was followed by a silent protest staged by the Food and Allied Workers Union in front of the official residence of the EU Delegation to South Africa calling for a ban on the importation of chicken ([Allix, 2016](#)).

Accordingly, in stark contrast to India's vibrant Right to Food Campaign, this development paints a grim picture of the inactiveness of domestic NGOs to coerce or lobby the state to seriously consider a food insecurity agenda. Given that the number of the famished is still unacceptably high, [Ramkissoon \(2017\)](#) agitates that it is high time relevant NGOs revised their strategies and/or drew from their Indian counterpart and pressed for a long-term food strategy. Put differently, in order for NGOs to stay relevant, they must seriously consider these three suggestions: First, partner with academics to conduct independent research on the location and number of households/individuals facing food insecurity. While Statistics South Africa ([StatsSA, 2018](#)) occasionally provides this data, an independent survey could be used to complement or contradict official data and/or used as a basis to file applications in court alleging violation of section 27 of the Constitution. Second, these findings could be used to lobby MPs and the executive to urgently respond to the problem as hunger has become a national crisis. Third, the data could also be used to produce radio and television commercials as a means of giving visibility to StatsSA's data which receives minimal debate in the print and electronic media. This campaign could further be used to incite millions of food-insecure households to place their signatures on petitions to be submitted to

parliament, or launch a massive protest against the executive and rally public opinion for food security court applications.

Undoubtedly, public opinion constitutes a key variable in state action, particularly as elected officials seek to forestall public tongue lashing for being indifferent to their constituents' concerns. Bearing in mind that it is the poor who are more prone to hunger, NGOs must involve this group when pushing the FSA agenda. However, with the poor faced with language and in some instances mobility barriers in accessing public spaces, NGOs must endeavour to (i) hold educational campaigns within the poor neighbourhoods; (ii) conduct public dialogue in local languages; (iii) create a conducive environment during public engagement; (iv) appoint outspoken members of this group to join the organisation's leadership position; and (v) create spaces for the poor to directly engage with policymakers or opinion leaders.

## **Conclusion**

This chapter has argued that the prevalent food insecurity may be tied to fragmented, incoherent policies and institutions mandated to address this problem. As it stands now, there are more than five different legislations and institutions all seeking to provide food interventions that often lead to overlap and waste of resources. The chapter argues that because of the absence of a binding food security instrument, the state lacks the political will to adequately address the need of the chronically hungry. It is in this context that the chapter recommends the adoption of an overarching FSA backed by a unified government department – perhaps a DFS to oversee the operationalisation of the Act. Taking into account that the fragmented attempts of the various departments have not addressed the state of hunger, the mandate of the new department will be to extricate food security units in these departments and assemble them under its umbrella.

The chapter then shifted its attention to assess how agents within the (in)formal sector could influence each other to trigger this reform. It argued that since the executive has the necessary logistical support at its disposal and yet failed to comprehensively address the issue of food insecurity, parliament should act by introducing a FSB. But, with the NA turning into a rubber stamp as about two-thirds of its members spring from the ruling ANC party, this might be an uphill battle. The chapter found that in order to mobilise political will, there is the need

for the judiciary to hand down a decision which will call on the executive/parliament to act or safeguard the welfare of the people they have sworn to protect. Nonetheless, given that courts could not, without cause, issue such a declaration or ruling, there is the need for NGOs to file public interest litigation alleging a violation of section 27 right, specifically the right to food. This attempt could be complemented by the effort of the CGE and the SAHRC calling for the state's compliance with this provision. Arguably, with this collective effort, backed by rising public opinion, the ruling ANC party will be coerced to respond in the form of a FSA and backing it with the DFS which will oversee the distribution of staple food and some form of cash transfer, in order to alleviate the plight of the chronically hungry.

# References

## Chapter 1 Food Activism and Policy in South Africa

- Alkon, A. H., and Cadji, J. (2020). Sowing seeds of displacement: Gentrification and food justice in Oakland, CA. *International Journal of Urban and Regional Research*, 44(1), 108–23.
- Altman, M., Hart, T. G. B., and Jacobs, P. T. (2009). Household food security status in South Africa. *Agrekon*, 48(4), 345–61.
- Battersby, J. (2012). Beyond the food desert: Finding ways to speak about urban food security in South Africa. *Geografiska Annaler: Series B, Human Geography*, 94(2), 141–59.
- Bhattacharya, J., Currie, J., and Haider, S. (2004). Poverty, food insecurity, and nutritional outcomes in children and adults. *Journal of Health Economics*, 23(4), 839–62.
- Bruni, L. (2019). The Law of Daily Bread. *The Economy of Salvation*, 4, 139–42.
- Burke, M. P., Martini, L. H., Çayır, E., Hartline-Grafton, H. L., and Meade, R. L. (2016). Severity of household food insecurity is positively associated with mental disorders among children and adolescents in the United States. *The Journal of Nutrition*, 146(10), 2019–26.
- Campbell, D. J. (1990). Strategies for coping with severe food deficits in rural Africa: a review of the literature. *Food and Foodways*, 4(2), 143–62.
- Campbell, D. J., and Trechter, D. D. (1982). Strategies for coping with food consumption shortage in the Mandara Mountains Region of North Cameroon. *Social Science and Medicine*, 16(24), 2117–27.
- Chabernet, D., Lichy, J., and Wall, T. (2019). *Insurrection as Recognition: Urban Riots for Love, Rights, and Solidarity*. Paper presented at the British Academy of Management Conference: Birmingham, United Kingdom.
- Chakona, G., and Shackleton, C. (2017). Minimum dietary diversity scores for women indicate micronutrient adequacy and food insecurity status in South African towns. *Nutrients*, 9(8), 1–16.
- Chakona, G., and Shackleton, C. M. (2019). Food insecurity in South Africa: to what extent can social grants and consumption of wild foods eradicate hunger? *World Development Perspectives*, 13, 87–94.

- Claasen, N., and Lemke, S. (2019). Strong ties, weak actors? Social networks and food security among farm workers in South Africa. *Food Security*, 11 (2), 417–30.
- Clay, E. (1983). European community responses to the ‘problem of world hunger’: Food Aid, Food Security, Food Strategies And All That. *The IDS Bulletin*, 14(3), 1–8.
- Cois, A., and Day, C. (2015). Obesity trends and risk factors in the South African adult population. *BMC Obesity*, 2(42), 1–10. doi 10.1186/s40608-015-0072-2.
- Constitution of the Republic of South Africa, Act 108 of 1996.
- Corbett, J. (1988). Famine and household coping strategies. *World Development*, 16(9), 1099–112.
- Cornia, G. A., Jolly, R., and Stewart, F. (eds.). (1987). *Adjustment with a Human Face*. Oxford: Clarendon.
- De Vos, P. (1997). Pious wishes or directly enforceable human rights: Social and economic rights in South Africa’s 1996 Constitution. *South African Journal on Human Rights*, 13(1), 67–101.
- De Waal, A. (1991). Emergency food security in Western Sudan: What is it for? In Maxwell, S. (ed.), *To Cure All Hunger: Food Policy and Food Security in Sudan* (pp. 66–84). London: Intermediate Technology.
- Devereux, S. (2016). Social protection for enhanced food security in sub-Saharan Africa. *Food Policy*, 60, 52–62.
- DoA (Department of Agriculture). (2002). *The Integrated Food Security Strategy for South Africa*. [www.nda.agric.za/docs/Policy/FoodSecurityStrategy.pdf](http://www.nda.agric.za/docs/Policy/FoodSecurityStrategy.pdf). Accessed 27 October 2019.
- Donkin, A. J. M., Dowler, E. A., Stevenson, S. J., and Turner, S. A. (2000). Mapping access to food in a deprived area: the development of price and availability indices. *Public Health Nutrition*, 3(1), 31–8.
- FAO (Food and Agriculture Organization 1996). *Rome Declaration on World Food Security and World Food Summit Plan of Action*. World Food Summit 13–17 November 1996. Rome.
- Gerlach, C. (2015). Famine responses in the world food crisis 1972–5 and the World Food Conference of 1974. *European Review of History: Revue européenne d’histoire*, 22(6), 929–39.
- Global Hunger Index. (2019). *2018 Results*. [www.globalhungerindex.org/results/](http://www.globalhungerindex.org/results/). Accessed 27 January 2020.
- Grobler, W. C. J. (2016). Perceptions of poverty: a study of food secure and food insecure households in an urban area in South Africa. *Procedia Economics and Finance*, 35, 224–31.
- Harrar, J. G. (1974). Nutrition and numbers in the third world. *BioScience*, 24(9), 514–17.

- Hawkes, N. (1974). World food conference: Amid politicking, some progress. *Science*, 186(4167), 905–8.
- Hendriks, S. L., and Olivier, N. J. (2015). Review of the South African agricultural legislative framework: Food security implications. *Development Southern Africa*, 32(5), 555–76.
- Heucher, A. (2019). Reconsidering overlap in global food security governance. *Food Security*, 11(3), 555–8.
- Jodha, N. S. (1991). Drought management: Farmers' strategies and their policy implications. *Economic and Political Weekly*, 26(39), A98–A104.
- Jun, S., Zeh, M. J., Eicher-Miller, H. A., and Bailey, R. L. (2019). Children's dietary quality and micronutrient adequacy by food security in the household and among household children. *Nutrients*, 11(5), 1–16.
- Kirkpatrick, S. I., Dodd, K. W., Parsons, R., Ng, C., Garriguet, D., and Tarasuk, V. (2015). Household food insecurity is a stronger marker of adequacy of nutrient intakes among Canadian compared to American youth and adults. *The Journal of Nutrition*, 145(7), 1596–603.
- Korenman, S., Abner, K. S., Kaestner, R., and Gordon, R. A. (2013). The Child and Adult Care Food Program and the nutrition of pre-schoolers. *Early Childhood Research Quarterly*, 28(2), 325–36.
- Lele, U., and Candler, W. (1984). Food security in developing countries: National issues. In Eicher, C. K., and Staatz, J. M. (eds.), *Agricultural Development in the Third World* (pp. 207–21). Baltimore: Johns Hopkins University Press.
- Levin, R., and Weiner, D. (1996). The politics of land reform in South Africa after apartheid: Perspectives, problems, prospects. *The Journal of Peasant Studies*, 23(2–3), 93–19.
- Li, N., Dachner, N., and Tarasuk, V. (2016). The impact of changes in social policies on household food insecurity in British Columbia, 2005–2012. *Preventive Medicine*, 93, 151–8.
- Longhurst, R. (1985). Cropping systems and household food security: Evidence from three West African countries. *Food and nutrition*, 11(2), 10–16.
- Longhurst, R. (1988). Cash crops, household food security and nutrition. *IDS bulletin*, 19(2), 28–36.
- Malthus, T. R. (1798). *An Essay on the Principle of Population*. Aylesbury: Penguin Books.
- Mandela, N. R. (1993). *Address by Nelson Mandela at Investiture as Doctor of Laws, Soochow University, Taiwan*. [www.mandela.gov.za/mandela\\_speeches/1993/930801\\_taiwan.htm](http://www.mandela.gov.za/mandela_speeches/1993/930801_taiwan.htm). Accessed 27 October 2019.
- Mandela, N. R. (1994). 1994 – *President Mandela, State of the Nation Address, 24 May 1994 (After National Elections)*. South African History Online.

- Maslow, A. (1943). A theory of human motivation. *Psychological Review*, 50(4), 370–96.
- Maxwell, S. (1996). Food security: a post-modern perspective. *Food policy*, 21(2), 155–70.
- May, J. (2018). Keystones affecting sub-Saharan Africa's prospects for achieving food security through balanced diets. *Food Research International*, 104, 4–13.
- McCurdy, K., Gorman, K. S., and Metallinos-Katsaras, E. (2010). From poverty to food insecurity and child overweight: A family stress approach. *Child Development Perspectives*, 4(2), 144–51.
- McNamara, R. (1975). *The Nairobi Speech: Assault on World Poverty*. [http://juerg-buergi.ch/Archiv/EntwicklungspolitikA/EntwicklungspolitikA/assets/McNamara\\_Nairobi\\_speech.pdf](http://juerg-buergi.ch/Archiv/EntwicklungspolitikA/EntwicklungspolitikA/assets/McNamara_Nairobi_speech.pdf). Accessed 17 February 2020.
- Mechlem, K. (2004). Food security and the right to food in the discourse of the United Nations. *European Law Journal*, 10(5), 631–48.
- Mellor, J. W. (1988). Global food balances and food security. *World Development*, 16(9), 997–1011.
- Morrissey, T. W., Oellerich, D., Meade, E., Simms, J., and Stock, A. (2016). Neighborhood poverty and children's food insecurity. *Children and Youth Services Review*, 66, 85–93.
- Mundy, K. E. (1992). Human resources development assistance in Canada's overseas development assistance program: a critical analysis. *Canadian Journal of Development Studies*, 13(3), 385–409.
- Ndegwa, P. (1985). *Africa's Development Crisis and Related International Issues*. Nairobi: Heinemann.
- Nkrumah, B. (2017). Ghana's poverty alleviation strategy: Promising start, but bleak future? In Addaney, M., and Nyarko, M. G. (eds.), *Ghana @ 60: Governance and Human Rights in Twenty-First Century Africa* (pp. 82–100). Pretoria: Pretoria University Law Press.
- Nkrumah, B. (2018a). Food protest in South Africa: 'them belly full, but we hungry'. *ESR Review*, 04(19), 47–64.
- Nkrumah, B. (2018b). Averting looming tragedy: a review of *The Black Sash Trust v Minister of Social Development and Others (2017)*. *ESR Review*, 19(1), 13–15.
- Nkrumah, B. (2019a). Opening Pandora's box: a legal analysis of the right to food in South Africa. *De Jure*, 52(1), 47–64.
- Nkrumah, B. (2019b). Africa's future: Demarginalizing urban agriculture in the era of climate change. *Future of Food: Journal on Food, Agriculture and Society*, 7(1), 8–20.
- Nkrumah, B. (2019c). Fruit walls: Urban agriculture and climate change in Africa. *Future of Food: Journal on Food, Agriculture and Society*, 7(1), 8–20.

- Nkrumah, B. (2019d). Hungry to learn: Chronic hunger and student protest in South Africa. In Addaney, M. (ed.), *Women and Minority Rights Law in Africa: Re-imagining Equality and Addressing Discrimination* (pp. 225–47). Netherlands: Eleven International Publishing.
- Nkrumah, B., and Viljoen, L. (2014). Lessons from ECOWAS for the implementation of article 4(h). In Kuwa, D., and Viljoen, F. (eds.), *Africa and the Responsibility to Protect: Article 4(b)* (pp. 251–264). London: Routledge.
- Nkrumah, B., and Busingye, G. (2017). ‘No peace, no war’: Assessment of the protection of civilians in the Africa’s Great Lakes. In Kuwali, D., and Viljoen, F. (eds.), *All Means Necessary: Bridging the Protection of Civilians and the Responsibility to Protect in Armed Conflicts* (pp. 342–55). Pretoria: Pretoria University Law Press.
- OHCHR (Office of the High Commissioner for Human Rights). (2019). *Special Rapporteur on the right to food*. [www.ohchr.org/EN/Issues/Food/Pages/FoodIndex.aspx](http://www.ohchr.org/EN/Issues/Food/Pages/FoodIndex.aspx). Accessed 27 January 2020.
- Palmer, I. (1977). Rural women and the basic-needs approach to development. *International Labour Review*, 115(1), 97–108.
- Pimentel, D., Terhune, E. C., Dyson-Hudson, R., et al. (1976). Land degradation: Effects on food and energy resources. *Science*, 194(4261), 149–55.
- Powell, L. M., and Bao, Y. (2009). Food prices, access to food outlets and child weight. *Economics and Human Biology*, 7(1), 64–72.
- Ram, J., Crawford, J., and Swaminathan, M. S. (1975). World Food Conference Rome November 1974. *India International Centre Quarterly*, 2(1), 13–20.
- Regassa, N. (2011). Small holder farmers coping strategies to household food insecurity and hunger in Southern Ethiopia. *Ethiopian Journal of Environmental Studies and Management*, 4(1), 39–49.
- Reutlinger, S., and Knapp, K. (1980). *Food security in food deficit countries*. World Bank Staff Working Paper, 393, Washington DC: World Bank.
- Rogers, C.A. (2019). *How God, Moses, and Comet Halley freed Hebrew slaves in Egypt*. [https://s3.amazonaws.com/academia.edu.documents/58262059/Exodus\\_-\\_God\\_Moses\\_and\\_Comet.pdf?](https://s3.amazonaws.com/academia.edu.documents/58262059/Exodus_-_God_Moses_and_Comet.pdf?) Accessed 19 January 2020.
- Rogerson, C. M. (1993). Urban agriculture in South Africa: Policy issues from the international experience. *Development Southern Africa*, 10(1), 19–48.
- Rosenfeld, S. S. (1974). The politics of food. *Foreign Policy*, 14, 17–29;
- Runciman, C. (2017). SA is protest capital of the world. *IOL*.
- SA (South Africa) Government. (2019). *Agriculture*. [www.gov.za/about-sa/agriculture](http://www.gov.za/about-sa/agriculture). Accessed 27 January 2020.



- SAPS (South African Police Service). (2019). *Annual Report 2018/2019*. [http://pmg-assets.s3-website-eu-west-1.amazonaws.com/SAPS\\_Annual\\_Report\\_20182019.pdf](http://pmg-assets.s3-website-eu-west-1.amazonaws.com/SAPS_Annual_Report_20182019.pdf). Accessed 11 February 2020.
- Sarris, A. H. (1985). Food security and agricultural production strategies under risk in Egypt. *Journal of Development Economics*, 19(1–2), 85–111.
- SARS (South African Revenue Service). (2018). *SARS ready to implement VAT rate increase*. [www.sars.gov.za/Media/MediaReleases/Pages/27-March-2018-SARS-ready-to-implement-VAT-rate-increase.aspx](http://www.sars.gov.za/Media/MediaReleases/Pages/27-March-2018-SARS-ready-to-implement-VAT-rate-increase.aspx). Accessed 27 January 2020.
- Sen, A. (1981). *Poverty and Famines: An Essay on Entitlement and Deprivation*. Oxford: Clarendon Press.
- Shaw, D. J. (2007). World Conference on Overcoming Global Hunger, 1993. *World Food Security*, 318–20.
- Shaw, D. J. (2010). The World Food Council: the rise and fall of a United Nations body. *Journal Canadian Journal of Development Studies*, 30(3–4), 663–94.
- Shaw, D. J., and Clay, E. J. (1998). Global hunger and food security after the World Food Summit. *Canadian Journal of Development Studies*, 19(4), 55–76.
- Spinoni, J., Naumann, G., Vogt, J. V., and Barbosa, P. (2015). The biggest drought events in Europe from 1950 to 2012. *Journal of Hydrology: Regional Studies*, 3, 509–24.
- Sriram, U., and Tarasuk, V. (2016). Economic predictors of household food insecurity in Canadian metropolitan areas. *Journal of Hunger and Environmental Nutrition*, 11(1), 1–13.
- Staatz, J. M., D’agostino, V. C., and Sundberg, S. (1990). Measuring food security in Africa: Conceptual, empirical, and policy issues. *American Journal of Agricultural Economics* 72, 1311–17.
- StatsSA (Statistics South Africa). (2018). *Mid-year population estimates 2018*. [www.statssa.gov.za/publications/P0302/P03022018.pdf](http://www.statssa.gov.za/publications/P0302/P03022018.pdf). Accessed 17 February 2020.
- StatsSa (Statistics South Africa). (2019a). *Towards measuring food security in South Africa: An examination of hunger and food inadequacy: Report No. 03–00-14*. [www.statssa.gov.za/publications/03–00-14/03–00-142017.pdf](http://www.statssa.gov.za/publications/03-00-14/03-00-142017.pdf). Accessed 27 September 2020.
- StatsSA (Statistics South Africa). (2019b). *General Household Survey 2017: Statistical Release P0318*. [www.statssa.gov.za/publications/P0318/P03182017.pdf](http://www.statssa.gov.za/publications/P0318/P03182017.pdf). Accessed 11 February 2020.
- StatsSA (Statistics South Africa). (2019c). *Quarterly Labour Force Survey Quarter 4: 2018*. [www.statssa.gov.za/publications/P0211/P02114thQuarter2018.pdf](http://www.statssa.gov.za/publications/P0211/P02114thQuarter2018.pdf). Accessed 27 November 2019.

- UN (United Nations 1975). *Report of the World Food Conference, Rome. Development Bibliography 8*. Brighton: Institute of Development.
- Von Braun, J., and Tadesse, G. (2012). Food security, commodity price volatility, and the poor. *Institutions and Comparative Economic Development*, 298–312.
- Watts, M. (1991). Entitlements or empowerment? Famine and starvation in Africa. *Review of African Political Economy*, 18(51), 9–26.
- WB (World Bank) (1986). *Poverty and hunger: Issues and options for food security in developing countries*. <http://documents.worldbank.org/curated/en/166331467990005748/pdf/multi-page.pdf>. Accessed 27 October 2019.
- Webb, P. (1993). Coping with drought and food insecurity in Ethiopia. *Disasters*, 17(1), 33–47.
- Weber, M. T., Staatz, J. M., Holtzman, J. S., Crawford, E. W., and Bernsten, R. H. (1988). Informing food security decisions in Africa: Empirical analysis and policy dialogue. *American Journal of Agricultural Economics*, 70(5), 1044–52.
- Wesson, M. (2004). *Grootboom* and reassessing: Beyond the socioeconomic jurisprudence of the South African Constitutional Court. *South African Journal on Human Rights*, 20(2), 284–308.

## Chapter 2 A Tale of Food Activism

- Africa, T. W. (1971). Urban violence in imperial Rome. *The Journal of Interdisciplinary History*, 2(1), 3–21.
- Aljazeera. (2008). *Haiti senators vote to remove PM*. [www.aljazeera.com/news/americas/2008/04/200852512234460358.html](http://www.aljazeera.com/news/americas/2008/04/200852512234460358.html). Accessed 14 April 2020.
- Asingo, P. O. (2018). Relative deprivation, protests and voting in Kenya. *Commonwealth and Comparative Politics*, 56(1), 65–83.
- BBC (British Broadcasting Corporation). (2008). *Haitian senators vote to fire PM*. <http://news.bbc.co.uk/2/hi/americas/7344729.stm>. Accessed 22 March 2020.
- Bellemare, M. F. (2015). Rising food prices, food price volatility, and social unrest. *American Journal of Agricultural Economics*, 97(1), 1–21.
- Beltrami, S. (2020). *How to minimize the impact of Coronavirus on food security*. [www.wfp.org/stories/how-minimize-impact-coronavirus-food-security](http://www.wfp.org/stories/how-minimize-impact-coronavirus-food-security). Accessed 08 January 2021.
- Berazneva, J., and Lee, D.R. (2013). Explaining the African food riots of 2007–2008: an empirical analysis. *Food Policy*, 39, 28–39.
- Bohstedt, J. (1988). Gender, household and community politics: Women in English riots 1790–1810. *Past and Present*, 120, 88–122.

- Bohstedt, J. (2016). Food riots and the politics of provisions from early modern Europe and China to the food crisis of 2008. *The Journal of Peasant Studies*, 43(5), 1035–67.
- Bose, N. (2019). *Crackdown on immigrant families to start Sunday, Trump says*. Reuters.
- Bush, R., and Martiniello, G. (2017). Food riots and protest: Agrarian modernizations and structural Crises. *World Development*, 91, 193–207.
- Chabal, P., and Jean-Pascal, D. (1999). *Africa Works: Disorder as Political Instrument*. Bloomington: Indiana University Press.
- Coles, A. J. (1978). The moral economy of the crowd: Some twentieth-century food riots. *Journal of British Studies*, 18(1), 157–176.
- Erdkamp, P. (2002). ‘A starving mob has no respect’: Urban markets and food riots in the Roman world, 100 BC–400 AD. In de Blois, L., and Rich, J. (eds.), *The Transformation of Economic Life under the Roman Empire* (pp. 93–115). Amsterdam: Brill.
- Finkel, S. E., and Muller, E. N. (1998). Rational choice and the dynamics of collective political action: Evaluating alternative models with panel data. *American Political Science Review*, 92(1), 37–49.
- Frank, D. (1985). Housewives, socialists, and the politics of food: the 1917 New York cost- of-living protests. *Feminist Studies*, 11(2), 255–85.
- Friedmann, H. (1982). The political economy of food: The rise and fall of the postwar international food order. *American Journal of Sociology*, 88, S248–S286.
- Glennie, C., and Alkon, A. H. (2018). Food justice: Cultivating the field. *Environmental Research Letters*, 13, 1–13.
- Gordon, C., and Hunt, K. (2019). Reform, justice, and sovereignty: a food systems agenda for environmental communication. *Environmental Communication*, 13(1), 9–22.
- Gros, A., Gard-Murray, A. S., and Bar-Yam, Y. (2015). Conflict in Yemen: From ethnic fighting to food riots. *Conflict and Complexity*, 269–80.
- Hanson, P. R. (1988). The ‘Vie Chère’ Riots of 1911: Traditional protests in modern garb. *Journal of Social History*, 21(3), 463–81.
- Hassanein, N. (2003). Practicing food democracy: a pragmatic politics of transformation. *Journal of Rural Studies*, 19(1), 77–86.
- Haydu, J. (2011). Cultural modeling in two eras of U.S. food protest: Grahmites (1830s) and organic advocates (1960–70s). *Social Problems*, 58(3), 461–87.
- Hossain, N., and Kalita, D. (2014). Moral economy in a global era: the politics of provisions during contemporary food price spikes. *Journal of Peasant Studies*, 41, 815–31.

- Hufton, O. (1971). Women in revolution 1789–1796. *Past and Present*, 53, 90–108.
- Hunt, K. (2000). Negotiating the boundaries of the domestic: British socialist women and the politics of consumption. *Women's History Review*, 9(2), 389–410.
- Hunt, K. (2010). The politics of food and women's neighborhood activism in first world war Britain. *International Labor and Working-Class History*, 77(1), 8–26.
- Hyman, P. E. (1980). Immigrant women and consumer protest: The New York City kosher meat boycott of 1902. *American Jewish History*, 70(1), 91–105.
- Kaplan, T. (1982). Female consciousness and collective action: the case of Barcelona, 1910–1918. *Journal of Women in Culture and Society*, 7(3), 545–66.
- Koopmans, R. (1999). Political. Opportunity. Structure. Some splitting to balance the lumping. *Sociological Forum*, 14(1), 93–105.
- Kurer, T., Häusermann, S., Wüest, B., and Enggist, M. (2019). Economic grievances and political protest. *European Journal of Political Research*, 58(3), 866–92.
- Leitch, A. (2003). Slow food and the politics of pork fat: Italian food and European identity. *Ethnos*, 68(4), 437–62.
- Lynn, T. J., and Williams, L. S. (2018). 'Have a quiet, orderly, polite revolution': Framing political protest and protecting the status quo. *Critical Sociology*, 44(4–5), 733–51.
- Malthus, T.R. (1798). *An Essay on the Principle of Population*. London: J. Johnson.
- Maxwell, D. (1999). The political economy of urban food security in Sub-Saharan Africa. *World Development*, 27(11), 1939–53.
- McCarthy, J. D., and Mayer N. Z. (1977). Resource mobilization and social movements: a partial theory. *American Journal of Sociology*, 82(6), 1212–41.
- Oberschall, A. R. (1994). Rational choice in collective protests. *Rationality and Society*, 6(1), 79–100.
- O'Connell, R., Owen, C., Padley, M., and Simon, A. (2019). Which types of family are at risk of food poverty in the UK? A relative deprivation approach. *Social Policy and Society*, 18(1), 1–18.
- Opp, K. D. (1989). *The Rationality of Political Protest: A Comparative Analysis of Rational Choice Theory*. Boulder, CO: Westview Press.
- Reed, M., and Keech, D. (2019). Making the city smart from the grassroots up: the sustainable food networks of Bristol. *City, Culture and Society*, 16, 45–51.
- Richins, M. L. (2017). Materialism pathways: the processes that create and perpetuate materialism. *Journal of Consumer Psychology*, 27(4), 480–99.

- Ryan-Simkins, K. (2019). The new food activism: Opposition, cooperation, and collective action. In Alkon, A. H., and Guthman, J. (eds.), *Agriculture and Human Values*, Vol. 36 (pp. 371–2). Berkeley: University of California Press.
- Saif, I. (2008). *The Food Price Crisis in the Arab Countries: Short Term Responses to a Lasting Challenge*. Carnegie Empowerment. [https://carnegieendowment.org/files/saif\\_food\\_prices\\_final.pdf](https://carnegieendowment.org/files/saif_food_prices_final.pdf). Accessed 14 April 2020.
- Salevurakis, J. W., and Abdel-Haleim, S. M. (2008). Bread subsidies in Egypt: Choosing social stability or fiscal responsibility. *Review of Radical Political Economics*, 40(1), 35–49.
- Sayer, A. (2000). Moral economy and political economy. *Studies in Political Economy*, 61(1), 79–103.
- Schneider, M. (2008). 'We are hungry!': A Summary Report of Food Riots, Government Responses, and States of Democracy in 2008. [https://s3.amazonaws.com/academia.edu.documents/955244/We\\_are\\_Hungry.pdf?response-content-disposition](https://s3.amazonaws.com/academia.edu.documents/955244/We_are_Hungry.pdf?response-content-disposition). Accessed 14 April 2020.
- Schneider, T., Eli, K., McLennan, A., and Dolan, C. (2019). Governance by campaign: The co-constitution of food issues, publics and expertise through new information and communication technologies. *Information, Communication & Society*, 22(2), 172–92.
- Schumilas, T., and Scott, S. (2016). Beyond 'voting with your chopsticks': Community organising for safe food in China. *Asia Pacific Viewpoint*, 57(3), 301–12.
- Sen, A. (2008). Violence, Identity and Poverty. *Journal of Peace Research*, 45(1), 5–15.
- Sneyd, L. Q., Legwegoh, A., and Fraser, E. D. G. (2013). Food riots: Media perspectives on the causes of food protest in Africa. *Food Security*, 5, 485–497.
- Stevens, T. M., Aarts, N., Termeer, C., and Dewulf, A. (2016). Social media as a new playing field for the governance of agro-food sustainability. *Current Opinion in Environmental Sustainability*, 18, 99–106.
- Stevens, T. M., Aarts, N., Termeer, C., and Dewulf, A. (2018). Social media hypes about agro-food issues: Activism, scandals and conflicts. *Food Policy*, 79, 23–34.
- Storch, R. D. (1982). Popular Festivity and Consumer Protest: Food Price Disturbances in the Southwest and Oxfordshire in 1867. *Albion*, 14(3), 209–34.
- Sutton, D., Naguib, N., and Vournelis, L. (2013). Food and contemporary protest movements. *Journal of Food, Culture and Society*, 16(3), 345–66.
- Taylor, L. (1996). Food riots revisited. *Journal of Social History*, 30(2), 483–96.

- Tilly, L. A. (1971). The food riot as a form of political conflict in France. *The Journal of Interdisciplinary History*, 2(1), 23–57.
- Tilly, C. (2003). *The Politics of Collective Violence*. Cambridge: Cambridge University Press.
- Weinstein, J. (2007). *Inside Rebellion: The Politics of Insurgent Violence*. New York: Cambridge University Press.
- Wittman, H. (2015). From protest to policy: the challenges of institutionalizing food sovereignty. *Canadian Food Studies*, 2(2), 174–82.
- Youn, S. (2019). Thousands protest ICE across cities targeted for weekend raids. ABC News.
- Zimmerman, J. (2011). How food prices can fuel revolutions like Egypt's. *Grist*. <https://grist.org/article/2011-01-31-how-food-prices-can-fuel-revolutions-like-egypts/>. Accessed 14 April 2020.

### Chapter 3 The Case of Right to Food Campaign

- Banik, D. (2010). Governing a giant: the limits of judicial activism on hunger in India. *Journal of Asian Public Policy*, 3(3), 263–80.
- Besley, T., and Burgess, R. (2002). The political economy of government responsiveness: Theory and evidence from India. *The Quarterly Journal of Economics*, 117(4), 1415–51.
- Birchfield, L., and Corsi, J. (2009). Between starvation and globalization: Realizing the right to food in India. *Michigan Journal of International Law*, 31(4), 691–764.
- Chakrabarti, S., Kishore, A., and Roy, D. (2018). Effectiveness of food subsidies in raising healthy food consumption: Public distribution of pulses in India. *American Journal of Agricultural Economics*, 100(5), 1427–49.
- Chakraborty, S., and Sarmah, S.P. (2019). India 2025: the public distribution system and National Food Security Act 2013. *Development in Practice*, 29(2), 230–49.
- Chameli Singh v State of Uttar Pradesh* (1996) 2 SCC 549.
- Chhotray, V., Adhikari, A., and Bahuguna, V. (2020). The political prioritization of welfare in India: Comparing the public distribution system in Chhattisgarh and Jharkhand. *World Development*, 128, 1–15.
- Cohen, M. J., and Brown, M. (2005). Access to justice and the right to adequate food: Implementing millennium development goal one. *Sustainable Development Law Policy*, 6(1), 54–6.
- Deo, N. (2007). Structure and strategies: Two faces of civic activism in India. *Journal of Civil Society*, 3(2), 137–57.

- Drèze, J. (2004). Democracy and Right to Food. *Economic and Political Weekly*, 39, 1723–31.
- Drèze, J., and Goyal, A. (2008). The future of mid-day meals. In Baru, R. V. (ed.), *School Health Services in India: The Social and Economic Contexts* (pp. 46–78). London: Sage Publications.
- Drèze, J. (2006). Universalisation with quality: ICDS in a rights perspective. *Economic and Political Weekly*, 41(34), 3706–15.
- Drèze, J., and Sen, A. (2013). *An Uncertain Glory: India and Its Contradictions*. Princeton: Princeton University Press.
- Francis Coralie Mullin v the Administrator of the Union Territory of Delhi and Others, two Supreme Court Reports 516, 518 of 1981.
- Gaiha, R. (2003). Does the right to food matter? *Economic and Political Weekly*, 38(40), 4269–76.
- George, N. A., and McKay, F. H. (2019). The public distribution system and food security in India. *International Journal of Environmental Research and Public Health*, 16(17), 1–14.
- GHI (Global Hunger Index). (2019). 2018 Global Hunger Index results. [www.globalhungerindex.org/results/](http://www.globalhungerindex.org/results/). Accessed 11 February 2020.
- Gready, P. (2008). Rights-based approaches to development: What is the value-added? *Development in Practice*, 18(6), 735–47.
- Grover, A., and Chopra, S. (2017). 298 factors affecting beneficiaries' preference for biannual distribution of food grains in public distribution system of Punjab, India. *International Journal on Food System Dynamics*, 8(4), 298–316.
- Hertel, S. (2015). Hungry for justice: Social mobilization on the right to food in India. *Development and Change*, 46(1), 72–94.
- Hertel, S. (2016). A new route to norms evolution: Insights from India's right to food campaign. *Social Movement Studies*, 15(6), 610–21.
- Jayaraman, R., and Simroth, D. (2015). The impact of school lunches on primary school enrolment: evidence from India's midday meal scheme. *The Scandinavian Journal of Economics*, 117(4), 1176–203.
- Jenkins, R. (2007). India's unlikely democracy: Civil society versus corruption. *Journal of Democracy*, 18(2), 55–69.
- Khera, R. (2008). Mid-day meals in primary schools: Achievements and challenges. In Baru, R. V. (ed.), *School Health Services in India: The Social and Economic Contexts* (pp. 79–105). London: Sage Publications.
- Krishnan, P., and Subramaniam, M. (2014). Understanding the state: Right to Food campaign in India. *The Global South*, 8(2), 101–18.
- Kumar, A., Parappurathu, S., and Babu, S. (2016). Public distribution system in Bihar, India: implications for food security. *Journal of Agricultural and Food Information*, 17(4), 300–15.



- Landy, F. (2017). Rescaling the public distribution system in India: Mapping the uneven transition from spatialization to territorialization. *Environment and Planning C: Politics and Space*, 35(1), 113–29.
- Mahabal, K. B. (2004). Enforcing the right to food in India: the impact of social activism: comparative case law: focus on India. *ESR Review: Economic and Social Rights in South Africa*, 5(1), 7–11.
- Mooij, J. (1998). Food policy and politics: the political economy of the public distribution system in India. *The Journal of Peasant Studies*, 25(2), 77–101.
- Narayanan, S. (2017). Rice in the Public Distribution System. *The Future Rice Strategy for India*, 15–37.
- O'Brien, K., Selboe, E., and Hayward, B. M. (2018). Exploring youth activism on climate change: dutiful, disruptive, and dangerous dissent. *Ecology and Society*, 23(3), 1–13.
- Pillay, A. (2014). Revisiting the Indian experience of economic and social rights adjudication: the need for a principled approach to judicial activism and restraint. *International and Comparative Law Quarterly*, 63(2), 385–408. <https://doi.org/10.1017/S0020589314000074>.
- Pradhan, M., and Rao, N. (2018). Gender justice and food security: the case of public distribution system in India. *Progress in Development Studies*, 18(4), 252–266.
- PUCL vs Union of India and Others, Writ Petition 196 of 2001.
- Samson, M., Noronha, C., and De, A. (2008). Towards more benefits from Delhi's mid-day meal scheme. In Baru, R. V. (ed.), *School Health Services in India: The Social and Economic Contexts* (pp. 106–41). London: Sage Publications.
- Sangeetha, S., and Chitra, K. (2020). Longevity of Indian microfinance institutions (MFIs): Empirical study using survival analysis. *Journal of Seybold Report*, 15(9), 815–22.
- Sehgal, M. (2019). *Punjab farmers deny getting compensation, continue burning stubble in protest*. [www.indiatoday.in/india/story/punjab-farmers-deny-getting-compensation-continue-burning-stubble-in-protest-1611110-2019-10-19](http://www.indiatoday.in/india/story/punjab-farmers-deny-getting-compensation-continue-burning-stubble-in-protest-1611110-2019-10-19). Accessed 11 November 2019.
- Singh, D. (1991). Protest movements in India. *The Indian Journal of Political Science*, 52(4), 448–57.
- Singh, P. (2010). Promises and perils of public interest litigation in India. *Journal of the Indian Law Institute*, 52(2), 172–88.
- Singh, S. (1993). New Economic Policy in India: Some Implications for Employment and Labour Market. *Indian Journal of Industrial Relations*, 28(4), 311–26.
- Srinivasan, V., and Narayanan, S. (2007). Case Study #11–1, 'Food Policy and Social Movements: Reflections on the Right to Food Campaign in India. In



- Pinstrup-Andersen, P., and Cheng, F. (eds.), *Food Policy for Developing Countries: Case Studies* (pp. 247–58). Ithaca, New York: Cornell University Press.
- StatsSA (Statistics South Africa). (2019). *Towards measuring food security in South Africa: An examination of hunger and food inadequacy: Report: 03–00–14*. [www.statssa.gov.za/publications/03-00-14/03-00-142017.pdf](http://www.statssa.gov.za/publications/03-00-14/03-00-142017.pdf). Accessed 18 January 2020.
- StatsSA (Statistics South Africa). (2020a). *GDP rallies as lockdown restriction ease*. 08 December 2020. [www.statssa.gov.za/?p=13849](http://www.statssa.gov.za/?p=13849). Accessed 13 January 2021.
- StatsSA (Statistics South Africa). (2020b). *Loss of income resulting from the COVID-19 pandemic may lead to higher levels of food insecurity SA*. 08 December 2020. [www.statssa.gov.za/?p=13327](http://www.statssa.gov.za/?p=13327). Accessed 13 January 2021.
- UNDP (United Nations Development Programme). (2020). *Human Development Report 2020*. <http://hdr.undp.org/sites/default/files/hdr2020.pdf>. Accessed 13 January 2021.
- Varadharajan, K. S., Thomas, T., and Kurpad, A. (2014). The Indian National Food Security Act, 2013: A commentary. *Food and Nutrition Bulletin*, 35(2), 253–65.
- WFP (World Food Programme). (2019). *WFP India: Country Brief*. [http://docs.wfp.org/api/documents/WFP0000106854/download/?\\_ga=2.52241961.1224902124.1565433266-608511735.1565433266](http://docs.wfp.org/api/documents/WFP0000106854/download/?_ga=2.52241961.1224902124.1565433266-608511735.1565433266). Accessed 11 February 2020.
- World Bank. (2019). *India GDP growth rate*. <https://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG?locations=INqaz>. Accessed 11 November 2019.

## Chapter 4 Rocking the Boat? Mobilising for Food Security in South Africa

- AbM (Abahlali baseMjondolo). (2013). *Nkululeko Gwala Murdered in Cato Crest*. <http://abahlali.org/node/9839/>. Accessed 2 February 2020.
- Alexander, P. (2010). Rebellion of the poor: South Africa's service delivery protests – a preliminary analysis. *Review of African Political Economy*, 37(123), 25–40.
- Alexander, P., and Pfaffe, P. (2014). Social relationships to the means and ends of protest in South Africa's ongoing rebellion of the poor: the Balfour insurrections. *Social Movement Studies*, 13(2), 204–21.
- Black Sash. (2019). Home. [www.blacksash.org.za](http://www.blacksash.org.za). Accessed 12 February 2020.

- Bosch, T. (2017). Twitter activism and youth in South Africa: The case of #RhodesMustFall. *Information, Communication and Society*, 20(2), 221–32.
- De La Rey, C., and Raju, P. (1996). Group relative deprivation: Cognitive versus affective components and protest orientation among Indian South Africans. *The Journal of social psychology*, 136(5), 579–88.
- Della Porta, D., and Diani, M. (2020). *Social Movements: An Introduction*. 3rd ed. Oxford: Wiley Blackwell.
- Desai, A., and Pithouse, R. (2004). ‘But we were thousands’: Dispossession, resistance, repossession and repression in Mandela Park. *Journal of Asian and African Studies*, 39, 239–69.
- Francis, D., and Webster, E. (2019). Poverty and inequality in South Africa: Critical reflections. *Development Southern Africa*, 36(6), 788–802.
- GCI (Global Climate Institute). (2019). Home. [www.wits.ac.za/gci/](http://www.wits.ac.za/gci/). Accessed 15 February 2020.
- Gibson, N.C. (2008). Upright and free: Fanon in South Africa, from Biko to the shackdwellers’ movement (Abahlali baseMjondolo). *Social Identities*, 14(6), 683–715.
- Gill, G. (2014). Knowledge practices in Abahlali baseMjondolo. *Interface: A Journal for and about Social Movements*, 6(1), 211–29.
- Grootboom (Government of the Republic of South Africa and Others v Grootboom and Others)* (CCT11/00) [2000] ZACC 19; 2001 (1) SA 46; 2000 (11) BCLR 1169 (4 October 2000).
- Heywood, M. (2009). South Africa’s treatment action campaign: Combining law and social mobilization to realize the right to health. *Journal of Human Rights Practice*, 1(1), 14–36.
- Hodes, R. (2017). Questioning ‘fees must fall’. *African Affairs*, 116(462), 140–50.
- Hough, M. (2008). Violent protest at local government level in South Africa: Revolutionary potential? *Scientia Militaria: South African Journal of Military Studies*, 36(1), 1–14.
- Khosa, M.M. (1995). Transport and popular struggles in South Africa. *Antipode*, 27(2), 167–88.
- Leonard, L., and Pelling, M. (2010). Mobilisation and protest: Environmental justice in Durban, South Africa. *Local Environment*, 15(2), 137–51.
- Lodge, T., and Mottiar, S. (2016). Protest in South Africa: Motives and meanings. *Democratization*, 23(5), 819–37.
- Mdlalose, B. (2014). The rise and fall of Abahlali baseMjondolo, a South African social movement. *South African Journal of Political Studies*, 41(3), 345–53.

- Miraftab, F., and Wills, S. (2005). Insurgency and spaces of active citizenship: The story of Western Cape anti-eviction campaign in South Africa. *Journal of Planning Education and Research*, 25, 200–17. DOI: 10.1177/0739456X05282182.
- Mlungwana and Others v S and Another* (CCT32/18) [2018] ZACC 45; 2019 (1) BCLR 88 (CC); 2019 (1) SACR 429 (CC) (19 November 2018).
- MoH v TAC (Minister of Health and Others v Treatment Action Campaign and Others* (No 2) (CCT8/02) [2002] ZACC 15; 2002 (5) SA 721; 2002 (10) BCLR 1033 (5 July 2002).
- Moloi, K. C., Makgoba, M. W., and Miruka, C. O. (2017). (De)constructing the #FeesMustFall campaign in South African higher education. *Contemporary Education Dialogue*, 14(2) 211–23.
- Moore, N. (2013). KZN: Anatomy of an assassination. *Daily Maverick*.
- Mottiar, S. (2013). From ‘popcorn’ to ‘occupy’: Protest in Durban, South Africa. *Development and Change*, 44(3), 603–19.
- Mottiar, S., and Bond, P. (2012). Discontent and social protest in Durban. *Politikon* 39(3), 1–23.
- Mutekwe, E. (2017). Unmasking the ramifications of the fees-must-fall-conundrum in higher education institutions in South Africa: a critical perspective. *Perspectives in Education*, 35(2), 142–54.
- Naicker, C. (2016). From Marikana to #feesmustfall: the praxis of popular politics in South Africa. *Urbanisation*, 1(1), 53–61.
- Nash, A. (2006). Restructuring South African universities. In Pithouse, R. (ed.), *Asinamali: University Struggles in Post-Apartheid South Africa* (pp. 1–10). Eritrea: Africa World Press.
- Ndlovu, M. (2017). Fees must fall: a nuanced observation of the University of Cape Town, 2015–2016. *Agenda*, 31(3–4), 127–37.
- Nkrumah, B (2018). Food protest in South Africa: ‘them belly full, but we hungry’. *ESR Review*, 4(19), 4–7.
- Nkrumah, B (2019). Hungry to learn: Chronic hunger and student protest in South Africa. In Addaney, M. (ed.), *Women and Minority Rights Law in Africa: Re-imagining Equality and Addressing Discrimination* (pp. 225–47). Netherlands: Eleven International Publishing.
- Nleya, N. (2011). Linking service delivery and protest in South Africa: an exploration of evidence from Khayelitsha. *Africanus*, 41(1), 3–13.
- Olzak, S., and Olivier, J. L. (1998). Racial conflict and protest in South Africa and the United States. *European Sociological Review*, 14(3), 255–78.
- Pillay, S. R. (2016). Silence is violence: (critical) psychology in an era of Rhodes Must Fall and Fees Must Fall. *South African Journal of Psychology*, 46(2), 155–159.

- Piper, L., Tapscott, C., Nleya, N., Thompson, L., and Esau, M. (2011). Reconsidering the origins of protest in South Africa: Some lessons from Cape Town and Pietermaritzburg. *Africanus*, 41(1), 14–29.
- RSA (Republic of South Africa). (2019). *Agriculture*. [www.gov.za/about-sa/agriculture](http://www.gov.za/about-sa/agriculture). Accessed 11 February 2020.
- Runciman, C. (2017). SA is protest capital of the world. *IOL*.
- SA History (South African History Online). (1994). The Reconstruction and Development Programme (RDP). [www.sahistory.org.za/sites/default/files/the\\_reconstruction\\_and\\_development\\_programm\\_1994.pdf](http://www.sahistory.org.za/sites/default/files/the_reconstruction_and_development_programm_1994.pdf). Accessed 2 February 2020.
- SAPS (South African Police Service). (2019). Annual Report 2018/2019. [http://pmg-assets.s3-website-eu-west.amazonaws.com/SAPS\\_Annual\\_Report\\_20182019.pdf](http://pmg-assets.s3-website-eu-west.amazonaws.com/SAPS_Annual_Report_20182019.pdf). Accessed 11 February 2020.
- Venter, D., and Swart, I. (2002). Anti-globalisation organisation as a fourth generation people's movement. *Society in Transition*, 33(1), 50–79.
- Zikode, S. (2008). The greatest threat to future stability in our country is the greatest strength of the Abahlali baseMjondolo Movement (SA) (Shackdwellers). *Journal of Asian and African studies*, 43(1): 113–17.
- Zikode, S. (2009). 'Meaningful engagement: Abahlali baseMjondolo'. <http://abahlali.org/node/5538/>. Accessed 2 February 2020.

## Chapter 5 Food (In)Security and Legal Implications in South Africa

- Armitage, D. (2000). Edmund Burke and reason of state. *Journal of the History of Ideas*, 61(4), 617–34.
- Baldwin-Ragaven, L., London, L., and De Gruchy, J. (2000). Learning from our apartheid past: Human rights challenges for health professionals in contemporary South Africa. *Ethnicity & Health*, 5(3–4), 227–41.
- Brand, D. D. (2002). Constitutional reform the South African experience. *Cumberland Law Review*, 33(1), 1–14.
- Certification of the Constitution of the Republic of South Africa*, 1996 (CCT 23/96) [1996] ZACC 26; 1996 (4) SA 744 (CC); 1996 (10) BCLR 1253 (CC) (6 September 1996).
- CESCR (Committee on Economic, Social and Cultural Rights). (1990). General Comment No. 3: The Nature of States Parties' Obligations (Art. 2, Para. 1, of the Covenant). *Adopted at the Fifth Session of the Committee on Economic, Social and Cultural Rights, on 14 December 1990 (Contained in Document E/1991/23)*.
- CESCR (Committee on Economic, Social and Cultural Rights). (1999). General Comment No. 12: The Right to Adequate Food (Art. 11).

- Adopted at the Twentieth Session of the Committee on Economic, Social and Cultural Rights, on 12 May 1999 (Contained in Document E/C.12/1999/5).*
- Chenwi, L. (2008). Putting flesh on the skeleton: South African judicial enforcement of the right to adequate housing of those subject to evictions. *Human Rights Law Review*, 8(1), 105–37.
- Christiansen, E. C. (2007). Adjudicating non-justiciable rights: Socio-economic rights and the South African constitutional court. *Columbia Human Rights Law Review*, 38(2), 321–86.
- Davis, D. M. (2008). Socioeconomic rights: Do they deliver the goods? *International Journal of Constitutional Law*, 6(3–4), 687–711.
- Del Mistro, R., and Hensher, D. A. (2009). Upgrading informal settlements in South Africa: Policy, rhetoric and what residents really value. *Housing Studies*, 24(3), 333–54.
- De Visser, J. (2003). A perspective on local government's role in realising the right to housing and the answer of the *Grootboom* judgment. *Law, Democracy & Development*, 201–15.
- Dixon, R. (2007). Creating dialogue about socioeconomic rights: Strong-form versus weak-form judicial review revisited. *International Journal of Constitutional Law*, 5(3), 391–418.
- Eide, W. B., and Oshaug, A. (1991). Food security and the right to food in international law and development. *Transnational Law and Contemporary Problems*, 1–55.
- Govindjee, A. (2013). Adjudication of socio-economic rights by the constitutional court of South Africa: Walking the tightrope between activism and deference? *National Law School of India Review*, 25(1), 62–80.
- Grootboom (Government of the Republic of South Africa and Others v Grootboom and Others)* (CCT11/00) [2000] ZACC 19; 2001 (1) SA 46; 2000 (11) BCLR 1169 (4 October 2000).
- Heyns, C. (1999). Taking socio-economic rights seriously: The domestic reporting procedure and the role of the South African human rights commission in terms of the new constitution. *De Jure*, 32(2), 195–226.
- Howard, R. (1983). The full-belly thesis: Should economic rights take priority over civil and political rights evidence from sub-Saharan Africa. *Human Rights Quarterly*, 5(4), 467–90.
- Hunter, M., and Posel, D. (2012). Here to work: the socioeconomic characteristics of informal dwellers in post-apartheid South Africa. *Environment & Urbanization*, 24(1), 285–304.
- Interim Constitution (1993). Constitution of the Republic of South Africa Act 200 of 1993.

- Joy, L. (1973). Food and nutrition planning. *Journal of Agricultural Economics*, 24(1), 165–97.
- Klug, H. (1996). Participating in the design: Constitution-making in South Africa. *Review of Constitutional Studies*, 3(1), 18–59.
- Mandela, N. (1991). Address: On the Occasion of the ANC's Bill of Rights Conference. In *A Bill of Rights for a Democratic South Africa: Papers and Report of a Conference Convened by the ANC Constitutional Committee*.
- Marais, L., and Wessels, J. (2005). Housing standards and housing rights: the case of Welkom in the Free State Province. *Urban Forum*, 16(1), 17–34.
- Marks, S. P. (1981). Emerging human rights: a new generation for the 1980s. *Rutgers Law Review*, 33(2), 435–53.
- Michelman, F. I. (2008). Socioeconomic rights in constitutional law: Explaining America away. *International Journal of Constitutional Law*, 6(3–4), 663–86.
- Nkrumah, B. (2016). National monitoring by NHRIs in South Africa. In Mayrhofer, M. (ed.), *International Human Rights Protection: The Role of National Human Rights Institutions – a Case Study*. Large-Scale FP7 Collaborative Project GA No. 320000. Deliverable No. 4.3.
- Nkrumah, B. (2018). Food protest in South Africa: 'them belly full, but we hungry'. *ESR Review*, 04(19), 47–64.
- Nkrumah, B. (2019). Opening Pandora's box: A legal analysis of the right to food in South Africa. *De Jure*, 52(1), 47–64.
- Ntlama, N. (2004). Monitoring the implementation of socio-economic rights in South Africa: Some lessons from the international community. *Law, Democracy and Development*, 8(2), 207–20.
- Pieterse, M. (2007). Eating socioeconomic rights: the usefulness of rights talk in alleviating social hardship revisited. *Human Rights Quarterly*, 29(3), 796–822.
- Sachs, A. (1996). Constitutional Developments in South Africa. *New York University Journal of International Law and Politics*, 28(4), 695–710.
- Sachs, A. (1997). South Africa's unconstitutional constitution: the transition from power to lawful power. *Saint Louis University Law Journal*, 41(4), 1249–258.
- Sachs, A. (2003). The judicial enforcement of socio-economic rights: the *Grootboom* case. *Current Legal Problems*, 56(1), 579–601.
- Sarkin, J. (1998a). The development of human rights culture in South Africa. *Human Rights Quarterly*, 20(3), 628–65.

- Sarkin, J. (1998b). The effect of constitutional borrowings on the drafting of South Africa's Bill of Rights and interpretation of human rights provisions. *University of Pennsylvania Journal of Constitutional Law*, 1(2), 176–204.
- Sarkin, J. (1999). The drafting of South Africa's final constitution from a human-rights perspective. *The American Journal of Comparative Law*, 47(1), 67–87.
- Schneider, D. (2004). The constitutional right to housing in South Africa: *The government of the Republic of South Africa v. Irene Grootboom*. *International Journal of Civil Society Law*, 2(2), 45–62.
- Serac v Nigeria (Social and Economic Rights Action Centre (SERAC) and Another v Nigeria)* (2001) AHRLR 60 (ACHPR 2001).
- Sloth-Nielsen, J. (2001). The child's right to social services, the right to social security, and primary prevention of child abuse: Some conclusions in the aftermath of Grootboom. *South African Journal on Human Rights*, 17(2), 210–31.
- Soobramoney (*Soobramoney v Minister of Health (Kwazulu-Natal)*). (CCT32/97) [1997] ZACC 17; 1998 (1) SA 765 (CC); 1997 (12) BCLR 1696 (27 November 1997).
- Surender, R., Noble, M., Wright, G., and Ntshongwana, P. (2010). Social assistance and dependency in South Africa: an analysis of attitudes to paid work and social grants. *Journal of Social Policy*, 39(2), 203–21.
- TAC (Minister of Health and Others v Treatment Action Campaign and Others (No 1)* (CCT9/02) [2002] ZACC 16; 2002 (5) SA 703; 2002 (10) BCLR 1075 (5 July 2002).
- Tomasevski, K. (1984). Human rights indicators: the right to food as a test case. In Alston, P., and Tomasevski, K. (eds.), *The Right to Food* (pp. 169–86). The Netherlands: Martinus Nijhoff.
- UoM (University of Minnesota). (1997). *Maastricht Guidelines on Violations of Economic, Social and Cultural Rights*. [http://hrlibrary.umn.edu/instreet/Maastrichtguidelines\\_.html](http://hrlibrary.umn.edu/instreet/Maastrichtguidelines_.html). Accessed 16 February 2020.
- Van Leeuwen, M. H. (1994). Logic of charity: Poor relief in preindustrial Europe. *The Journal of Interdisciplinary History*, 24(4), 589–613.
- Van Biljon and MCS (Van Biljon and Others v Minister Of Correctional Services and Others* 1997 4 SA 441 (e)).
- Wellman, C. (2000). Solidarity, the individual and human rights. *Human Rights Quarterly*, 22(3), 639–57.
- Wesson, M. (2004). *Grootboom* and reassessing: Beyond the socioeconomic jurisprudence of the South African Constitutional Court. *South African Journal on Human Rights*, 20(2), 284–308.



Williams, L. A. (2014). The right to housing in South Africa: an evolving jurisprudence. *Columbia Human Rights Law Review*, 45(3), 816–45.

## Chapter 6 The Unfinished Agenda: Perspectives on South Africa's Food (In)Security

- Andrea, G., and Beckman, B. (1985). *The Wheat Traps*. London: Zed Press.
- Bates, R. (1981). *Markets and States in Tropical Africa: The Political Basis of Agricultural Policies*. Berkeley: University of California Press.
- Bhengu, C. (2019). 7 quotes from Julius Malema during the EFF manifesto launch. *TimesLive*.
- Bromberger, N., and Antonie, F. (1993). Black small farmers in the homelands: Economic prospects and policies. In Lipton, M. and Simkins, C. (eds.), *State and Market in Post-Apartheid South Africa* (pp. 409–49). Oxford: Westview Press.
- Burkey, S. (1993). *People First: A Glance to Self-Reliant Participatory Rural Development*. London: Zed Books.
- Cheru, F. (2001). Overcoming apartheid's legacy: the ascendancy of neoliberalism in South Africa's anti-poverty strategy. *Third World Quarterly*, 22(4), 505–27.
- Clark, C. (2019). This land is our land: Expropriation without compensation in South Africa. *Harvard International Review*, 40(1), 10–11.
- Comins, L., and Pillay, K. (2020). KZN retailers accused of hiking prices amid panic buying. IOL.
- DAFF (Department of Agriculture, Forestry and Fisheries). (2005). *Comprehensive Agricultural Support Programme*. [www.daff.gov.za/daffweb3/Programme/Comprehensive-Agricultural-Support-Programme](http://www.daff.gov.za/daffweb3/Programme/Comprehensive-Agricultural-Support-Programme). Accessed 9 September 2019.
- DAFF (Department of Agriculture, Forestry and Fisheries). (2015). *2015/16 to 2019/20: Strategic Plan*. [www.daff.gov.za/daoDev/topMenu/DAFF\\_SP\\_20complete.pdf](http://www.daff.gov.za/daoDev/topMenu/DAFF_SP_20complete.pdf). Accessed 16 February 2020.
- DAFF (Department of Agriculture, Forestry and Fisheries). (2016). *Micro Agricultural Financial Institutions of South Africa*. [www.daff.gov.za/daoDev/agricdevfinance/updated%20%20flyer%20for%20micro%20agricultural%20financial%20institution%20of%20south%20africa%20\(mafisa\)%202016.pdf](http://www.daff.gov.za/daoDev/agricdevfinance/updated%20%20flyer%20for%20micro%20agricultural%20financial%20institution%20of%20south%20africa%20(mafisa)%202016.pdf). Accessed 16 February 2020.
- DALRRD (Department of Agriculture, Land Reform and Rural Development). (2005). *Comprehensive Agricultural Support Programme*. [www.dalrrd.gov.za/Programme/Comprehensive-Agricultural-Support-Programme](http://www.dalrrd.gov.za/Programme/Comprehensive-Agricultural-Support-Programme). Accessed 24 January 2021.



- DPME (Department of Planning, Monitoring and Evaluation). (2015). *Impact Evaluation of the Comprehensive Agricultural Support Programme: From its inception in 2004 to February 2013*. [file:///C:/User/s/user/Downloads/CASP.Long%20report.Final.19May2015%20\(3\).pdf](file:///C:/User/s/user/Downloads/CASP.Long%20report.Final.19May2015%20(3).pdf) . Accessed 17 February 2020.
- Drimie, S., and Ruysenaar, S. (2010). The integrated food security strategy of South Africa: an institutional analysis. *Agricultural Economics Research, Policy and Practice in Southern Africa*, 49(3), 316–37.
- DSD and DAFF (Department of Social Development and Department of Agriculture, Forestry and Fisheries) 2013). *National Policy on Food and Nutrition Security*. [www.nda.agric.za/docs/media/NATIONAL%20POLICYon%20food%20and%20nutrition%20security.pdf](http://www.nda.agric.za/docs/media/NATIONAL%20POLICYon%20food%20and%20nutrition%20security.pdf). Accessed 17 February 2020.
- Du Plessis, C. (2017). From transformation to fees: 12 promises Zuma made in Sona 2017. *CityPress*. [www.news24.com/citypress/News/from-transformation-to-fees-12-promises-zuma-made-in-sona-2017-20170209](http://www.news24.com/citypress/News/from-transformation-to-fees-12-promises-zuma-made-in-sona-2017-20170209). Accessed 24 January 2021.
- GrainSA. (2018). White maize meal prices and trends from shortage to deficit: Part 2. [www.grainsa.co.za/white-maize-meal-prices-and-trends-from-shortage-to-deficit-part-2](http://www.grainsa.co.za/white-maize-meal-prices-and-trends-from-shortage-to-deficit-part-2). Accessed 27 January 2020.
- GTAC (Government Technical Advisory Centre). (2015). *Executive summary: Micro Agricultural Financial Institutions of South Africa (MAFISA)*. [www.gtac.gov.za/persummary/MAFISA.pdf](http://www.gtac.gov.za/persummary/MAFISA.pdf) . Accessed 18 January 2020.
- Habib, A., and Padayachee, V. (2000). Economic Policy and Power relations in South Africa's transition to democracy. *World Development*, 28(2), 245–63.
- Hadley, C., and Patil, C. L. (2006). Food insecurity in rural Tanzania is associated with maternal anxiety and depression. *American Journal of Human Biology*, 18(3), 359–68.
- Hall, R. (2004). A political economy of land reform in South Africa. *Review of African Political Economy*, 31(100), 213–27.
- Hall, R., and Keep, T. (2017). Elite capture and state neglect: new evidence on South Africa's land reform. *Review of African Political Economy*, 44 (151), 122–30.
- Hanson, M., and Hentz, J. J. (1999). Neocolonialism and neoliberalism in South Africa and Zambia. *Political Science Quarterly*, 114(3), 479–502.
- Hassim, S. (2008). Social justice, care and developmental welfare in South Africa: a capabilities perspective. *Social Dynamics*, 34(2), 104–18.
- Helleiner, E. (2011). Understanding the 2007–2008 global financial crisis: Lessons for scholars of international political economy. *Annual Review of Political Science*, 14, 67–87.

- Hendriks, S. L., and Olivier, N.J. (2015). Review of the South African agricultural legislative framework: Food security implications. *Development Southern Africa*, 32(5), 555–76.
- Hogg, A. (2019). Mmusi Maimane rocks Soweto, shares what DA expects from #Elections2019. *BizNews*.
- Hundenborn, J., Woolard, I., and Jellema, J. (2019). The effect of top incomes on inequality in South Africa. *International Tax and Public Finance*, 26(5), 1018–47.
- Hunter, Q. (2020). Government cracks whip on price hikes and stockpiling. *DispatchLive*.
- Jankielsohn, R., and Duvenhage, A. (2017). Radical land reform in South Africa: a comparative perspective? *Journal for Contemporary History*, 42(2), 1–23.
- Kollamparambil, U. (2019). Happiness, happiness inequality and income dynamics in South Africa. *Journal of Happiness Studies*, 1–22.
- Levin, R., and Weiner, D. (1996). The politics of land reform in South Africa after apartheid: Perspectives, problems, prospects. *The Journal of Peasant Studies*, 23(2–3), 93–119.
- Lipton, M. (1977). *Why Poor People Stay Poor: Urban Bias in World Development*. Cambridge, MA: Harvard University Press.
- Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).
- Mbeki, M. (2009). *Architects of Poverty: Why African Capitalism Needs Changing*. Johannesburg: Picador.
- McGarry, D. K., and Shackleton, C. M. (2009). Children navigating rural poverty: Rural children's use of wild resources to counteract food insecurity in the Eastern Cape, South Africa. *Journal of Children and Poverty*, 15(1), 19–37.
- Mpeta, B., Fourie, J., and Inwood, K. (2018). Black living standards in South Africa before democracy: New evidence from height. *South African Journal of Science*, 114(1–2), 1–8.
- Msimang, S. (2018). All is not forgiven: South Africa and the scars of apartheid. *Foreign Affairs*, 97(1), 28–34.
- Narsiah, S. (2002). Neoliberalism and privatisation in South Africa. *GeoJournal*, 57, 3–13.
- Ngatane, N. (2019a). Ramaphosa: SA renewing its commitment to African continent. *EyeWitnessNews*.
- Ngatane, N. (2019b). *Social grants second-most important source of income in SA-stats SA*. <https://ewn.co.za/2019/05/28/social-grants-second-most-important-source-of-income-in-sa-stats-sa>. Accessed 17 February 2020.
- Nicolaides, G. and Kajee, A. (2019). Petrol price to increase by 54 c in may, international oil prices to blame. *EyeWitnessNews*.

- Nkrumah, B. (2016). G77 and economic diplomacy: Challenges and prospects for Africa's food security. *Latin American Studies Report*, 31(1), 29–44.
- Nkrumah, B. (2017). Mobilizing for the realization of the right to food in South Africa (DphilThesis). University of Pretoria. [https://repository.up.ac.za/bitstream/handle/2263/64629/Nkrumah\\_Mobilising\\_2017.pdf?sequence=1&isAllowed=y](https://repository.up.ac.za/bitstream/handle/2263/64629/Nkrumah_Mobilising_2017.pdf?sequence=1&isAllowed=y). Accessed 17 February 2020.
- Nkrumah, B. (2018a). Averting looming tragedy: a review of *The Black Sash Trust v Minister of Social Development and Others* (2017). *ESR Review*, 19(1), 13–15.
- Nkrumah, B. (2018b). Edible backyards: Climate change and urban food (in) security in Africa. *Agriculture and Food Security*, 7(45), 1–5.
- Nkrumah, B. (2018c). Food protest in South Africa: 'them belly full, but we hungry'. *ESR Review*, 04(19), 47–64.
- Nkrumah, B. (2019a). Fruit walls: Urban agriculture and climate change in Africa. *Future of Food: Journal on Food, Agriculture and Society*, 7(1), 8–20.
- Nkrumah, B. (2019b). Beyond climate change adaptation in urban Africa: A synthesis of urban food (in)security. In Cobbinah, P. and Addaney, M. (eds.), *The Geography of Climate Change Adaptation in Urban Africa* (pp. 305–28). Cham: Palgrave Macmillan.
- Nkwana, H.M. (2015). The implementation of the national food and nutrition security policy in South Africa: Strategies for multisectoral coordination. *Administratio Publica*, 23(4), 272–89.
- NPC (National Planning Commission). (2011). *National Development Plan: Vision for 2030*. [www.salga.org.za/SALGA%20Municipal%20Managers%20Forum/Documents/National%20Development%20Plan%202030.pdf](http://www.salga.org.za/SALGA%20Municipal%20Managers%20Forum/Documents/National%20Development%20Plan%202030.pdf). Accessed 18 February 2020.
- Nussbaum, M. C. (2009). *Frontiers of Justice: Disability, Nationality, Species Membership*. Cambridge: Harvard University Press.
- OECD (Organisation for Economic Co-operation and Development) and FAO (Food and Agriculture Organisation). (2019). *Agricultural Outlook 2010–2019*. [https://stats.oecd.org/Index.aspx?DataSetCode=HIGH\\_AGLINK\\_2010](https://stats.oecd.org/Index.aspx?DataSetCode=HIGH_AGLINK_2010). Accessed 18 February 2020.
- Oliver, E., and Oliver, W. H. (2017). The colonisation of South Africa: a unique case. *HTS Theological Studies*, 73(3), 1–8.
- Padayachee, V. (2019). Can progressive macroeconomic policy address growth and employment while reducing inequality in South Africa? *The Economic and Labour Relations Review*, 30(1) 3–21.
- Pearce, B. (2017). Land reform in South Africa: an uneven transformation. *Canadian Journal of African Studies*, 51(3), 453–5.

- Peet, R. (2002). Ideology, discourse, and the geography of hegemony: from socialist to neoliberal development in post-apartheid South Africa. *Antipode*, 34(1), 54–84.
- Pereira, L., and Drimie, S. (2016). Governance arrangements for the future food system: Addressing complexity in South Africa. *Environment: Science and Policy for Sustainable Development*, 58(4), 18–31.
- Phukubje, M. P., and Moholwa, M. B. (2006). Testing for weak-form efficiency in South African futures markets for wheat and sunflower seeds. *Agrekon*, 45(2), 198–213.
- Plagerson, S., Patel, S.L., Hochfeld, T., and Ulriksen, M.S. (2019). Social policy in South Africa: Navigating the route to social development. *World Development*, 113, 1–9.
- Ponte, S., Roberts, S., and Van Sittert, L. (2007). Black Economic Empowerment, business and the state in South Africa. *Development and Change*, 38(5), 933–55.
- Potts, R. (2012). Social welfare in South Africa: Curing or causing poverty. *Penn State Journal of International Affairs*, 74–92.
- Rose, D., and Charlton, K. E. (2002). Prevalence of household food poverty in South Africa: Results from a large, nationally representative survey. *Public Health Nutrition*, 5(3), 383–9.
- SA Gov (South African Government). (2002). *The Integrated Food Security Strategy*. [www.gov.za/sites/default/files/gcis\\_document/201409/foodpol0.pdf](http://www.gov.za/sites/default/files/gcis_document/201409/foodpol0.pdf). Accessed 18 February 2020.
- SA Gov (South African Government). (2012). *National Development Plan*. [www.gov.za/issues/national-development-plan-2030](http://www.gov.za/issues/national-development-plan-2030). Accessed 18 February 2020.
- SALG (South African Local Government). (2017). *Mopani District municipality*. <https://municipalities.co.za/featured/mopani.pdf>. Accessed 15 February 2020.
- SANT (South Africa National Treasury). (2019). *Budget Review 2019*. [www.treasury.gov.za/documents/national%20budget/2019/review/FullBR.pdf](http://www.treasury.gov.za/documents/national%20budget/2019/review/FullBR.pdf). Accessed 29 January 2020.
- Sartorius, K., and Botha, G. (2008). Black economic empowerment ownership initiatives: a Johannesburg Stock Exchange perspective. *Development Southern Africa*, 25(4), 437–53.
- SASSA (South African Social Security Agency). (2019a). *Annual Report 2018/19*. [www.sassa.gov.za/annual%20reports/Documents/SASSA%20Annual%20Report%202018-2019.pdf](http://www.sassa.gov.za/annual%20reports/Documents/SASSA%20Annual%20Report%202018-2019.pdf). Accessed 17 February 2020.
- SASSA (South African Social Security Agency). (2019b). *Social Relief of Distress*. [www.sassa.gov.za/index.php/social-grants/social-relief-of-distress](http://www.sassa.gov.za/index.php/social-grants/social-relief-of-distress). Accessed 17 February 2020.

- Seidman, G. (1999). Is South Africa different? Sociological comparisons and theoretical contributions from the land of apartheid. *Annual Review of Sociology*, 25, 419–40.
- Sen, A. (1981) *Poverty and Famines: An Essay on Entitlement and Deprivation*. Oxford: Clarendon Press.
- Shackleton, C. M., Mograbi, P. J., Drimie, S., et al. (2019). Deactivation of field cultivation in communal areas of South Africa: Patterns, drivers and socio-economic and ecological consequences. *Land Use Policy*, 82, 686–99.
- StatsSA (Statistics South Africa). (2017a). *General Household Survey: P0318*. [www.statssa.gov.za/publications/P0318/P03182017.pdf](http://www.statssa.gov.za/publications/P0318/P03182017.pdf). Accessed 17 February 2020.
- StatsSA (Statistics South Africa). (2017b). *Poverty trends in South Africa: an examination of absolute poverty between 2006 and 2015: Report No. 03–10–06*. [www.statssa.gov.za/publications/Report-03–10–06/Report-03–10–062015.pdf](http://www.statssa.gov.za/publications/Report-03-10-06/Report-03-10-062015.pdf). Accessed 15 February 2020.
- StatsSA (Statistics South Africa). (2019a). *Consumer price index' Statistical Release: P0141*. [www.statssa.gov.za/publications/P0141/P0141January2019.pdf](http://www.statssa.gov.za/publications/P0141/P0141January2019.pdf). Accessed 9 December 2019.
- StatsSA (Statistics South Africa). (2019b). *Who is most likely to be affected by long-term unemployment?* [www.statssa.gov.za/?p=11688](http://www.statssa.gov.za/?p=11688) . Accessed 17 February 2020.
- Streak, J. C. (2004). The Gear legacy: Did Gear fail or move South Africa forward in development? *Development Southern Africa*, 21(2), 271–88.
- TimesLive. (2019). Petrol price hikes and rising food prices push up cost of living. [www.timeslive.co.za/news/south-africa/2019-06-19-petrol-price-hikes-and-rising-food-prices-push-up-cost-of-living/](http://www.timeslive.co.za/news/south-africa/2019-06-19-petrol-price-hikes-and-rising-food-prices-push-up-cost-of-living/). Accessed 15 February 2020.
- TradingEconomics. (2019). *South Africa Food Inflation 2019*. <https://tradingeconomics.com/south-africa/food-inflation>. Accessed 17 February 2020.
- Triegaardt, J. D. (2005). The Child Support Grant in South Africa: a social policy for poverty alleviation? *International Journal of Social Welfare*, 14 (4), 249–55.
- Van Wyk, J. (2017). Compensation for land reform expropriation. *Journal of South African Law*, 2017 (1), 21–35.
- Vink, N., and Kirsten, J. (2002). *Pricing behaviour in the South African food and agricultural sector*. Final Report, Strictly Confidential: A report to the National Treasury. Accessed 4 February 2020.
- Vink, N., Tregurtha, N., and Kirsten, J. (2002). South Africa's Changing Agricultural Trade Regime. Annual Forum of Trade and Industrial Policy Strategies. [www.tips.org.za/files/562.pdf](http://www.tips.org.za/files/562.pdf). Accessed 14 April 2020.

- Westaway, A. (2012). Rural poverty in the Eastern Cape Province: Legacy of apartheid or consequence of contemporary segregationism? *Development Southern Africa*, 29(1), 115–25.
- Williams, P., and Taylor, I. (2000). Neoliberalism and the political economy of the 'new' South Africa. *New Political Economy*, 5(1), 21–40.
- Wolpe, H. (1972). Capitalism and cheap labour-power in South Africa: from segregation to apartheid. *Economy and Society*, 1(4), 425–56.
- World Bank. (2019). *The World Bank in South Africa*. [www.worldbank.org/en/country/southafrica](http://www.worldbank.org/en/country/southafrica). Accessed 9 February 2020.
- Yobe, C. L., Mudhara, M., and Mafongoya, P. (2019). Livelihood strategies and their determinants among smallholder farming households in KwaZulu-Natal province, South Africa. *Agricultural Economics Research, Policy and Practice in Southern Africa*, 58(3), 340–53.

## Chapter 7 Dispossession: Reforming Land in South Africa

- AgriBEE (Agricultural Broad-Based Black Economic Empowerment). (2005). Broad Based Black Economic Empowerment: Draft Transformation Charter for Agriculture. <https://bbbeecommission.co.za/wp-content/uploads/2017/12/AgriBEE-Final-08Dec2017.pdf>. Accessed 17 February 2020.
- Ainslie, A., and Kepe, T. (2016). Understanding the resurgence of traditional authorities in post-apartheid South Africa. *Journal of Southern African Studies*, 42(1), 19–33.
- Aliber, M., and Mdoda, L. (2015). The direct and indirect economic contribution of small- scale black agriculture in South Africa. *Agricultural Economics Research, Policy and Practice in Southern Africa*, 54(2), 18–37.
- Arko-Achemfuor, A. (2016). Addressing the challenges of food security and youth unemployment in South Africa through land reform policies. *Environmental Economics*, 7(3), 52–59.
- Beall, J. (2005). Decentralizing government and decentering gender: lessons from local government reform in South Africa. *Politics and Society*, 33(2), 253–76.
- Bertelsmann, M. (2019). Where have our fathers gone? *Parent24*. [www.parent24.com/Family/Parenting/where-have-our-fathers-gone-20160217-2](http://www.parent24.com/Family/Parenting/where-have-our-fathers-gone-20160217-2). Accessed 27 January 2020.
- DALA (Departments of Agriculture and Land Affairs). (2000). *Land Redistribution for Agricultural Development*. [www.nda.agric.za/docs/Policy/redistribution.htm#Executive%20summary](http://www.nda.agric.za/docs/Policy/redistribution.htm#Executive%20summary). Accessed 24 January 2021.
- DLA (Department of Land Affairs). (1997). White paper on South African land policy: April 1997. [www.ruraldevelopment.gov.za/phocadownload/White-Papers/whitepaperlandreform.pdf](http://www.ruraldevelopment.gov.za/phocadownload/White-Papers/whitepaperlandreform.pdf). Accessed 27 November 2019.

- DRD (Department of Rural Development). (2019). Grants and services of the land reform programme. [www.ruraldevelopment.gov.za/phocadownload/Policies/grants%20and%20services-approved%20version%207.pdf](http://www.ruraldevelopment.gov.za/phocadownload/Policies/grants%20and%20services-approved%20version%207.pdf). Accessed 12 January 2020.
- Graham, L., Williams, L., and Chisoro, C. (2019). Barriers to the labour market for unemployed graduates in South Africa, *Journal of Education and Work*, 32(4), 360–76.
- GSA (Government of South Africa). (2019). Comprehensive Rural Development Programme. [www.gov.za/about-government/government-programmes/comprehensive-rural-development-programme-crdp](http://www.gov.za/about-government/government-programmes/comprehensive-rural-development-programme-crdp). Accessed 12 January 2020.
- Hancock, T. (2015). More than half of DAFF R6bn budget allocated to grants. *Engineering News*. [http://m.engineeringnews.co.za/article/more-than-half-of-daff-r6bn-budget-allocated-to-grants-2015-05-14/rep\\_id:4433](http://m.engineeringnews.co.za/article/more-than-half-of-daff-r6bn-budget-allocated-to-grants-2015-05-14/rep_id:4433). Accessed 27 January 2020.
- Hendriks, S. L., and Olivier, N. J. (2015). Review of the South African agricultural legislative framework: Food security implications. *Development Southern Africa*, 32(5), 555–76.
- Kepe, T., and Hall, R. (2018). Land redistribution in South Africa: Towards Decolonisation or Recolonisation? *Politikon*, 25(1), 39–46.
- Kepe, T., and Tessaro, D. (2014). Trading-off: Rural food security and land rights in South Africa. *Land Use Policy*, 36, 267–74.
- Kupka, J. (2005). Understanding AgriBEE's nuts and bolts. *Farmers Weekly*.
- Lahiff, E., and Cousins, B. (2005). Smallholder agriculture and land reform in South Africa. *IDS Bulletin*, 36(2), 127–31.
- Matlala, M. (2014). The 2011 Green Paper on Land Reform: Opportunities and challenges – The National African Farmers Union (NAFU SA). *Potchefstroom Electronic Law Journal*, 17(2), 832–66.
- Mbembe, A. (2008). Passages to Freedom: The Politics Of Racial Reconciliation in South Africa. *Public Culture*, 20(1), 5–18.
- Nkrumah, B. (2018). Averting looming tragedy: a review of *The Black Sash Trust v Minister of Social Development and Others (2017)*. *ESR Review*, 19(1), 13–15.
- Pienaar, L., and Traub, L.N. (2015). Understanding the Smallholder Farmer in South Africa: Towards a Sustainable Livelihoods Classification. International Conference of Agricultural Economists: University of Milan. August 8–14.
- Pienaar, L., and von Fintel, D. (2014). Hunger in the former apartheid homelands: Determinants of convergence one century after the 1913 land act. *Agricultural Economics Research, Policy and Practice in Southern Africa*, 53(4), 38–67.



- Pijoo, I. (2019). Sexual offences up by 4.6%, increase in murder and rape of children. *TimesLive*. [www.timeslive.co.za/news/south-africa/2019-09-12-sexual-offences-up-by-46-increase-in-murder-and-rape-of-children](http://www.timeslive.co.za/news/south-africa/2019-09-12-sexual-offences-up-by-46-increase-in-murder-and-rape-of-children). Accessed 14 February 2020.
- Raidimi, E.N., and Kabiti, H.M. (2017). Agricultural extension, research, and development for increased food security: the need for public-private sector partnerships in South Africa. *South African Journal of Agricultural Extension*, 45(1), 49–63.
- Rankoana, S.A. (2019). Food security under unreliable rainfall: the case study of a rural community in Limpopo Province, South Africa. *Journal of Water and Climate Change*, 50(6), 1–8.
- Rogan, M. (2018). Food poverty, hunger and household production in rural Eastern Cape households. *Development Southern Africa*, 35(1), 90–104.
- RSA (Republic of South Africa). (2019). Land reform. [www.gov.za/issues/land-reform](http://www.gov.za/issues/land-reform). Accessed 14 February 2020.
- Runciman, C., and Paret, M. (2019). Black South Africans explain who they voted for in last poll, and why. *The Conversation*. <https://theconversation.com/black-south-africans-explain-who-they-voted-for-in-last-poll-and-why-122133>. Accessed 16 February 2020.
- Scholtz, M. M., van Ryssen, J. B. J., Meissner, H. H., and Laker, M. C. (2013). A South African perspective on livestock production in relation to greenhouse gases and water usage. *South African Journal of Animal Science*, 43(3), 247–54.
- Shoba, S. (2019). Wine farmers apply for an interdict against Black First Land First over land occupation. *Daily Maverick*.
- StatsSA (Statistics South Africa). (2016). *Agricultural households: Community survey*. Report 03–01-05. [www.statssa.gov.za/publication/s/03-01-05/03-01-052016.pdf](http://www.statssa.gov.za/publication/s/03-01-05/03-01-052016.pdf). Accessed 15 February 2020.
- StatsSA (Statistics South Africa). (2018) *General Household Survey 2017*. Statistical Release: P0318. [www.statssa.gov.za/publications/P0318/P03182017.pdf](http://www.statssa.gov.za/publications/P0318/P03182017.pdf). Accessed 17 February 2020.
- StatsSA (Statistics South Africa). (2019). *General Household Survey 2018: P0318*. [www.statssa.gov.za/publications/P0318/P03182018.pdf](http://www.statssa.gov.za/publications/P0318/P03182018.pdf). Accessed 15 February 2020.
- Tapela, B. N. (2008). Livelihoods in the wake of agricultural commercialisation in South Africa's poverty nodes: Insights from small-scale irrigation schemes in Limpopo Province. *Development Southern Africa*, 25(2), 181–98.
- Thomas, D. S. G., Twyman, C., Osbahr, H., and Hewitson, B. (2007). Adaptation to climate change and variability: Farmer responses to intra-seasonal precipitation trends in South Africa. *Climatic Change*, 83 (3), 301–22.



Zenker, O. (2015). De-judicialization, outsourced review and all-too-flexible bureaucracies in South African land restitution. *The Cambridge Journal of Anthropology*, 33(1), 81–96.

## Chapter 8 Ethical Obligation to Assist Impoverished South Africans

- AFP (Agence France-Presse). 2019. Ramaphosa: poverty, corruption means South Africans still not free. *JacarandaFM*.
- Andrews, M. (2006). Struggling for a life in dignity. In Ntsebeza, L., and Hall, R. (eds.), *The Land Question in South Africa: The Challenge of Transformation and Reconciliation* (pp. 202–19). Cape Town: HSRC Press.
- Arnoldi, M. (2018). Sanral awards R1.65bn Msikaba megabridge contract to Concor Mota- Engil JV. *Engineering News*. [www.engineeringnews.co.za/article/sanral-awards-r165bn-msikaba-megabridge-contract-to-concor-mota-engil-jv-2018-09-20](http://www.engineeringnews.co.za/article/sanral-awards-r165bn-msikaba-megabridge-contract-to-concor-mota-engil-jv-2018-09-20). Accessed 23 November 2019.
- Bangani, Z. (2019). Domestic workers: Overworked, underpaid and unprotected. *Mail and Guardian*.
- Borgström, G. (1967). Food: the great challenge of this crucial century. *Centennial Review*, 11(3), 287–311.
- Boisen, C. 2017. From land dispossession to land restitution: European land rights in South Africa. *Settler Colonial Studies*, 7(3), 321–339.
- Bruce, M. (1968). *The Coming of the Welfare State*. London: B. T. Batsford.
- Chabalala, J. (2019). Gupta millions: disciplinary hearing mooted for suspended SARS legal head over VAT refund-law firm. *News24*.
- Chokshi, D. A., and Katz, M. H. (2018). Medicaid work requirements: English poor law revisited. *JAMA Internal Medicine*, 178(11), 1555–7.
- Cohen, A. A. (2009). Kant's concept of freedom and the human sciences. *Canadian Journal of Philosophy*, 39(1), 113–36.
- Cross, A. L. (1928). English local government: English poor law history. Part I. *Political Science Quarterly*, 43(2), 276–8.
- De Villiers, J. (2018). Africa's second longest main span bridge is to be built in the Eastern Cape: This is what it will look like. *BusinessInsider*.
- Demenchonok, E. (2009). The Universal Concept of Human Rights as a regulative principle: Freedom versus paternalism. *American Journal of Economics and Sociology*, 68(1), 273–301.
- Donagan, A. (1977). *Theory of Morality*. Chicago: University of Chicago Press.
- Dower, N. (2008). The nature and scope of development ethics. *Journal of Global Ethics*, 4(3), 183–93.
- Dugard, J. (1978). *Human Rights and the South African Legal Order*. Princeton, NJ: Princeton University Press.

- ECSA (Electoral Commission of South Africa). (2021). Voter registration statistics. [www.elections.org.za/content/Voters-Roll/Registration-statistics/](http://www.elections.org.za/content/Voters-Roll/Registration-statistics/). Accessed 27 January 2021.
- Eskom. (2019). Municipal Loadshedding Schedules. [www.eskom.co.za/CustomerCare/Towns/Pages/default.aspx](http://www.eskom.co.za/CustomerCare/Towns/Pages/default.aspx). Accessed 23 November 2019.
- Fletcher, J. (1977). Give if it helps but not if it hurts. In Alken, W., and LaFollete, H. (eds.), *World Hunger and Moral Obligation* (pp. 66–84). Englewood Cliffs, NJ: Prentice-Hall.
- Franke, M. F. N. (2013). A critique of the universalisability of critical human rights theory: the displacement of Immanuel Kant. *Human Rights Review*, 14(4), 367–85.
- Gilbert, P. (2009). The feasibility of basic socioeconomic human rights: a conceptual exploration. *The Philosophical Quarterly*, 59(237), 659–81.
- Gwangwa, V., and Ndlazi, S. (2018). Food wasted as millions go hungry. IOL.
- Habermas, J. (2010). The concept of human dignity and the realistic utopia of human rights. *Metaphilosophy*, 41(4), 464–80.
- Hardin, G. (1995). Lifeboat ethics: the case against helping the poor. In Alken, W., and LaFollete, H. (eds.), *World Hunger and Moral Obligation* (pp. 12–21). Englewood Cliffs, NJ: Prentice-Hall.
- Hoffman, E. (1988). *The Right to Be Human: A biography of Abraham Maslow*. Los Angeles: Jeremy P. Tarcher.
- Kant, I. (1785). Grundlegung zur Metaphysik der Sitten (Foundation for the Metaphysic of Morals) as reproduced In Pojman, L.P. (ed.), *Ethical Theory, Classical and Contemporary Readings*, 4th ed. (2002). Belmont, CA: Wadsworth Group.
- Makatile, D. (2016). High cost of Nkandla exceeds R246 m. IOL.
- Maliks, R., and Follesdal, A. (2013). Kantian theory and human rights. In Follesdal, A., and Maliks, R. (eds.), *Kantian Theory and Human Rights* (pp. 1–7). New York: Routledge.
- Maslow, A. H. (1943). A theory of human motivation. *Psychological Review*, 50(4), 370–96.
- Metz, T. (2007). Ubuntu as a moral theory: Reply to four critics. *South African Journal of Philosophy*, 26(4), 369–87.
- Ngoepe, K. (2016). The rich must pay for education. *News24*.
- Nkrumah, B. (2018a). Averting looming tragedy: a review of *The Black Sash Trust v Minister of Social Development and Others (2017)*. *ESR Review*, 19(1), 13–15.
- Nkrumah, B. (2018b). Food protest in South Africa: ‘them belly full, but we hungry’. *ESR Review*, 04(19), 47–64.
- Nkrumah, B. (2019). How did we get here? Reflections on the UDHR and South Africans with albinism. *South African Journal of Criminal Justice*, 32(2), 181–201.

- Osborn, F. (1948). *Our plundered planet*. Boston: Little, Brown & Co.
- Pather, R. (2017). Zuma offers 'grants not loans' plan. *Mail and Guardian*.
- Persky, J. (1997). Classical family values: Ending the poor laws as they knew them. *Journal of Economic Perspectives*, 11(1), 179–89.
- Pijoos, I. (2019). #SandtonShutdown: Marchers demand 2% from companies listed on JSE. *TimesLive*.
- SARS (South African Revenue Service) (2019). *Personal Income Tax*. [www.sars.gov.za/TaxTypes/PIT/Pages/default.aspx](http://www.sars.gov.za/TaxTypes/PIT/Pages/default.aspx). Accessed 23 January 2020.
- Singer, P. (1972). Famine, affluence, and morality. *Philosophy and Public Affairs*, 1(3), 229–43.
- StatsSA (Statistics South Africa). (2019). *The Extent of Food Security in South Africa*. [www.statssa.gov.za/?p=12135](http://www.statssa.gov.za/?p=12135). Accessed 14 February 2020.
- Szymkowiak A (2009) Kant's permissive law: Critical rights, sceptical politics. *British Journal for the History of Philosophy*, 17(3), 567–600.
- Van Leeuwen, M. H. (1994). Logic of charity: Poor relief in preindustrial Europe. *The Journal of Interdisciplinary History*, 24(4), 589–613.
- Varden, H. (2006). Kant and dependency relations: Kant on the state's right to redistribute resources to protect the rights of dependents. *Dialogue: Canadian Philosophical Review*, 45(2), 257–84.
- Vogt, W. (1948). *Road to Survival*. New York: William Sloane Associates.
- Wenar, L. (2007). Responsibility and severe poverty. In Pogge, T. (ed.), *Freedom from Poverty as a Human Right: Who Owes What to the Very Poor?* (pp. 237–54). Oxford: UNESCO and Oxford University Press.
- XE Currency Converter. (2019). 1 ZAR to USD. [www.xe.com/currencyconverter/convert/?Amount=1&From=ZAR&To=USD](http://www.xe.com/currencyconverter/convert/?Amount=1&From=ZAR&To=USD). Accessed 11 February 2020.

## Chapter 9 What Is to Be Done: Overcoming Policy Fragmentation in South Africa

- Abrahams, Z. (2017). How hunger affects the mental health of pregnant mothers. *The Citizen*.
- Ahmed, A. K. (2009). The role of parliament in South Africa's foreign policy development process: Lessons from the United States' Congress. *South African Journal of International Affairs*, 16(3), 291–310.
- Allix, M. (2016). Fawu workers protest against chicken dumping. *BusinessDay*.
- Besley, T., and Kanbur, R. (1988). Food subsidies and poverty alleviation. *The Economic Journal*, 98(392), 701–19.
- Broome, A., and Quirk, J. (2015). The politics of numbers: the normative agendas of global benchmarking. *Review of International Studies*, 41(5), 813–18.

- Chakona, G., and Shackleton, C.M. (2018). Household food insecurity along an Agro- Ecological gradient influences children's nutritional status in South Africa. *Frontiers in Nutrition*, 4(72), 1–13.
- CompCom (Competition Commission). (2017). 14 fresh produce market agents and the institute charged for price fixing. Media Release (11 October). [www.compcom.co.za/wp-content/uploads/2017/01/CompCom-raids-fresh-produce-market-agents.pdf](http://www.compcom.co.za/wp-content/uploads/2017/01/CompCom-raids-fresh-produce-market-agents.pdf) . Accessed 1 February 2020.
- Crisp, J. (2018). *Mobilising political will for refugee protection and solutions: a framework for analysis and action*. World Refugee Council Research Paper, 1, 1–24.
- Devereux, S., Hochfeld, T., Karriem, A., et al. (2018). *School Feeding in South Africa: What we know, what we don't know, what we need to know, what we need to do*. Food Security SA Working Paper Series: No. 004. DST- NRF Centre of Excellence in Food Security, South Africa.
- Faure, M. (1997). Elections for parliament and the provinces in the new South Africa: 1994–2004. *African Journal of Political Science/Revue Africaine de Science Politique*, 2(1), 70–88.
- Geisler, G. (2000). Parliament is another terrain of struggle?: Women, men and politics in South Africa. *The Journal of Modern African Studies*, 38(4), 605–30.
- Gevisser, M. (2019). State capture: the corruption investigation that has shaken South Africa. *The Guardian*.
- Hendriks, S. L., and Olivier, N. J. (2015). Review of the South African agricultural legislative framework: Food security implications. *Development Southern Africa*, 32(5), 555–76.
- Hills, J. (2015). Addressing gender quotas in South Africa: Women empowerment and gender equality legislation. *Deakin Law Review*, 20 (1), 153–84.
- Kapoutsis, I., Papalexandris, A., Treadway, D. C., and Bentley, J. (2015). Measuring political will in organizations: Theoretical construct development and empirical validation. *Journal of Management*, 43(7), 2252–80.
- Lamola, R. (2019). State looters have left SA so broke it's harder to prosecute them now. .
- LHR (Lawyers for Human Rights). (2003). High Court declares parts of the new Immigration Act unconstitutional' [www.lhr.org.za/news/2003/high-court-declares-parts-new-immigration-act-unconstitutional](http://www.lhr.org.za/news/2003/high-court-declares-parts-new-immigration-act-unconstitutional). Accessed 24 January 2020.
- Lyons, M., Smuts, C., and Stephens, A. (2001). The changing role of the state in participatory development: from the reconstruction and development programme to growth, employment and redistribution. *Community Development Journal*, 36(4), 273–88.

- Makiva, M., and Ile, I.U. (2018). Perspectives on the legislature and the prospects of accountability in Nigeria and South Africa. In Fagbadebo, O., and Ruffin, F. (eds.), *Advances in African Economic, Social and Political Development* (pp. 85–104). New York: Springer.
- Mashele, P. (2019). SA is broke thanks to thieving by ANC cadres in government. *The Sowetan*.
- Mottiar, S., and Lodge, T. (2017). How social movements survive: the Treatment Action Campaign and the South African state, 2009–2016. *Social Dynamics: A Journal of African Studies*, 43(1), 103–17.
- Mukaddam v Pioneer Foods (Pty) Ltd and Others* (CCT 131/12) [2013] ZACC 23; 2013 (5) SA 89 (CC); 2013 (10) BCLR 1135 (CC) (27 June 2013).
- Mzizi, S. (2014). Did you know: only these 14 foodstuffs are zero-rated. *Accounting and Tax Club*. Accessed 20 January 2020.
- Ngwadla, N. (2018). The burden of black tax. *Fin24*.
- Nijzink, L. (2001). Opposition in the new South African parliament. *Democratization*, 8(1), 53–68.
- Nkrumah, B. (2019a). Hungry to learn: Chronic hunger and student protest in South Africa. In Addaney, M. (ed.), *Women and Minority Rights Law in Africa: Re-imagining Equality and Addressing Discrimination* (pp. 225–47). Netherlands: Eleven International Publishing.
- Nkrumah, B. (2016). G77 and economic diplomacy: Challenges and prospects for Africa's food security. *Latin American Studies Report*, 31 (1), 29–44.
- Nkrumah, B. (2017). Mobilising for the Realisation of the Right to Food in South Africa (Dphil thesis). University of Pretoria, South Africa. [https://repository.up.ac.za/bitstream/handle/2263/64629/Nkrumah\\_Mobilising\\_2017.pdf?sequence=1&isAllowed=y](https://repository.up.ac.za/bitstream/handle/2263/64629/Nkrumah_Mobilising_2017.pdf?sequence=1&isAllowed=y). Accessed 1 January 2020.
- Nkrumah, B. (2018). Averting looming tragedy: a review of *The Black Sash Trust v Minister of Social Development and Others* (2017). *ESR Review*, 19(1), 13–15.
- Nkrumah, B. (2019). Opening Pandora's box: A legal analysis of the right to food in South Africa. *De Jure*, 52(1), 47–64.
- Nyirenda, M., Street, R., Reddy, T., et al. (2018). Food insecurity, HIV status and prior testing at South African primary healthcare clinics. *South African Journal of Science*, 114(9–10), 1–6.
- Oxford, T. (2018). The complex insecurity of hunger in South Africa (12 September 2018). *Mail and Guardian*.
- Pfeffermann, D., Sikov, A., and Tiller, R. (2014). Single- and two-stage cross-sectional and time series benchmarking procedures for small area estimation. *Test*, 23(4), 631–66.

- Pijoo, I. (2019). State capture rot is deep, says Gordhan – but R2.1bn has been recovered so far. *TimesLive*.
- Pike, A., Puchert, J., and Chinyamurindi, W.T. (2018). Analysing the future of Broad-Based Black Economic Empowerment through the lens of small and medium enterprises. *Acta Commercii*, 18(1), 1–10.
- Ramkissoo, Y. (2017). Food security in South Africa: Human rights and entitlement perspectives. *South African Journal on Human Rights*, 33(3), 513–18.
- Scorgie, F., Blaauw, D., Dooms, T., Coovadia, A., Black V., and Chersich M. (2015). ‘I get hungry all the time’: Experiences of poverty and pregnancy in an urban healthcare setting in South Africa. *Global Health*, 11(37), 1–12.
- StatsSA (Statistics South Africa). (2018). *General Household Survey 2017: P0318*. [www.statssa.gov.za/publications/P0318/P03182017.pdf](http://www.statssa.gov.za/publications/P0318/P03182017.pdf). Accessed 27 January 2020.
- Tuwani, T. (2015). Hundreds protest for food consultations. *Health-E News*.
- Zalmanovitch, Y. and Cohen, N. (2015). The pursuit of political will: Politicians’ motivation and health promotion. *The International Journal of Health Planning and Management*, 30(1), 31–44.

# Index

- #FeesMustFall, 22, 59, 159, 199  
1996 Constitution, 75, 81, 100, 107
- Abahlali baseMjondolo, 22, 59, 197, 198, 200
- access to food, 1, 2, 6, 7, 11, 22, 23, 41, 80, 83, 87, 90, 102, 103, 112, 114, 118, 119, 131, 166, 188
- Achmat, Zackie, 71
- activists, 19, 27, 28, 33, 38, 39, 42, 43, 44, 45, 47, 55, 56, 57, 60, 68, 69, 71, 166
- AD  
Anno Domini, 27, 191
- adaptation, 10, 207
- adequate food, 2, 6, 9, 31, 44, 78, 80, 82, 83, 89, 100, 134, 148, 166, 194
- advocacy, 20, 21, 25, 45, 48, 50, 52, 55, 56, 57, 60, 72, 73, 75, 160, 180
- Africa, 2, 3, 5, 9, 10, 12, 17, 20, 21, 22, 24, 27, 41, 59, 60, 64, 65, 75, 80, 82, 95, 102, 108, 111, 149, 165, 169, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 197, 198, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 215, 216, 217
- African National congress, 69
- Afrikaner, 105
- agricultural commodities, 7, 102, 109, 110
- agriculture, 16, 106, 113, 134, 138, 139, 140, 144, 187, 188, 200, 207, 210
- Alexander the Great, 4
- Alfonso XIII, 34
- alienation, 19, 20, 39
- ANC  
African National Congress, 19, 69, 70, 73, 108, 109, 110, 113, 116, 152, 154, 168, 177, 178, 182, 183, 202, 217
- Andhra Pradesh, 50, 52, 55
- Anti-Privatisation Forum, 63
- Arce, Patricia, 26
- Argentina, 77
- armed rebellion, 26
- Asians, 112
- atheist, 163
- Ballito, 152
- BBC  
British Broadcasting Corporation, 36, 190
- BC  
Before Christ, 4, 27, 191
- Belgium, 77
- biblical story, 4
- Bill of Rights, 5, 83, 85, 86, 87, 91, 92, 100, 202
- biodiversity, 13
- Biscuit Manufacturers' Association, 47
- Black Labour Act, 104
- Black Sash, 62, 187, 197, 207, 211, 214, 217
- blacks, 15, 85, 95, 105, 106, 107, 112, 119, 132, 154, 168
- Bolivia, 26
- Botshabelo, 152
- boycott, 34, 192
- BRICS, 41, 58
- Britain, xiv, 32, 192
- Buddhist, 163
- Burkina Faso, 35
- burning of tyres, 33, 45
- butter, 30, 32
- California, 26, 204
- Cape of Good Hope, 96, 104
- Cape Town, 68, 96, 117, 199, 200, 213

- capitalists, 19, 113, 144, 157  
 Cargill, 110  
 Catholic Church, 149  
 charity, 7, 161, 162, 163, 164, 165, 168  
 Chhattisgarh, 50, 52, 55, 194  
 chicken, 34, 181, 215  
 children, 8, 10, 32, 38, 43, 44, 47, 49, 51, 52, 53, 57, 64, 68, 82, 85, 91, 96, 97, 105, 106, 126, 128, 138, 141, 147, 148, 154, 170, 179, 184, 187, 206, 212, 216  
 Chinese, 163  
 Christian, 159  
 Christianity, 165  
 chronic hunger, 2, 14, 15, 19, 21, 22, 41, 102, 104, 114, 171, 173, 174, 188, 199, 217  
 citizens, 1, 6, 7, 12, 19, 20, 24, 25, 26, 27, 29, 31, 33, 36, 39, 41, 42, 44, 62, 65, 67, 69, 79, 82, 83, 84, 87, 89, 90, 92, 96, 98, 100, 104, 148, 150, 155, 156, 174, 177  
 civil disorder, 35  
 Civil guards, 34  
 civil society, 13, 25, 35, 41, 62, 83, 149, 177  
 climate, 27, 31, 135, 153, 155, 167, 187, 196, 207  
 Clodius, 27  
 collective action, 25, 34, 57, 65, 68, 70, 192  
 Colorado, 26  
 Commission for Gender Equality (CGE), 179  
 Comprehensive Agricultural Support Programme (CASP), 121  
 conflict, 19, 55, 143, 156, 194, 199  
 constituencies, 25, 26, 178  
 Constitution, 1, 5, 15, 37, 41, 46, 56, 60, 62, 63, 65, 67, 71, 72, 73, 75, 77, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 98, 100, 105, 107, 123, 131, 132, 133, 140, 166, 173, 175, 179, 180, 181, 185, 200, 201, 202, 203  
 Constitutional Court, 67, 79, 88, 90, 92, 94, 97, 178, 190, 201, 203  
 constitutional provision, 98  
 consumers, 8, 27, 28, 110, 155, 167, 174  
 contentious politics, 25, 30, 33, 59, 61, 75  
 Convention on the Elimination of All Forms of Discrimination Against Women, 82  
 cooking oil, 35, 173  
 coping strategies, 9, 119, 145, 185, 188  
 COVID-19  
   Coronavirus, 24, 39  
 crop failures, 31  
 crops, 16, 18, 87, 106, 140, 145, 146  
 CSOs  
   Civil Society Organisations, 25, 41, 62, 63, 74, 83, 94, 114, 149, 154, 160, 165, 177, 178, 180  
 customs duty, 35  
 Darfur, 9  
 debt management, 12  
 democracy, 1, 15, 60, 62, 66, 78, 79, 81, 85, 93, 95, 130, 191, 206  
 Democratic Alliance, 116  
 demonstration, 20, 21, 25, 26, 27, 33, 34, 39, 56, 58, 60, 170  
 Denmark, 77  
 deportation, 26  
 development programme, 4, 144, 216  
 dictatorial rule, 26, 33  
 disenfranchisement, 20  
 dissent, 19, 20, 21, 24, 25, 27, 29, 30, 32, 36, 37, 42, 45, 61, 67, 68, 70, 74, 75, 76, 196  
 distributional justice, 3  
 DoA  
   Department of Agriculture, 17, 185  
 doctors, 38, 159  
 donor, 33, 67, 163, 168, 172  
 DPSP  
   Directive Principles of State Policy, 46, 81, 85, 100  
 drought, 9, 12, 31, 45, 46, 51, 57, 119, 168, 189  
 Dugard, 156, 213  
 Durban, 66, 117, 198, 199  
 Dutch settlers, 104  
 Eastern Cape, 18, 125, 137, 141, 206, 210  
 Economic Freedom Fighters (EFF), 116, 178



- education, 2, 16, 22, 41, 50, 54, 56, 59, 65, 68, 69, 70, 73, 75, 76, 79, 81, 86, 89, 95, 96, 103, 111, 113, 147, 154, 159, 165, 180, 199, 214
- Egypt, 4, 33, 38, 188, 189, 193, 194
- electricity, 36, 62, 63, 66, 67, 79, 86, 96, 102, 113, 115, 116, 118, 123, 128, 138, 155, 166, 173
- elites, 27, 28, 30, 37, 38, 44, 150, 154, 155, 164
- Elizabeth I, 150
- empowerment, 4, 51, 53, 58, 61, 156, 190, 208, 216
- entitlement, 3, 8, 11, 12, 16, 17, 18, 19, 22, 24, 25, 29, 37, 39, 47, 48, 49, 50, 51, 53, 55, 60, 68, 71, 74, 75, 76, 78, 88, 91, 107, 110, 112, 119, 128, 146, 166, 172, 189, 209, 218
- entitlement approach, 8
- Ethiopians, 9
- ethnic differences, 30
- Etwatwa, 152
- European Community, 11, 185
- expectant mothers, 2, 180
- exploitation, 34
- Facebook, 50
- factory workers, 38
- famine, 9, 10, 12
- famished, 2, 3, 22, 45, 71, 74, 75, 76, 105, 115, 148, 152, 154, 157, 158, 161, 162, 164, 165, 181
- FAO  
Food and Agriculture Organization, 11, 12, 14, 15, 115, 185, 207
- farm produce, 3, 89
- farmers, 17, 18, 30, 35, 38, 39, 49, 75, 87, 89, 105, 106, 108, 109, 110, 111, 122, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 142, 144, 145, 147, 155, 174, 186, 188, 196, 204, 212
- farmworkers, 132, 138
- fertilizers, 35, 39, 122, 145, 155
- fluctuations in prices, 7
- food activism, 1, 2, 3, 4, 6, 7, 19, 20, 21, 24, 27, 28, 35, 36, 37, 39, 55, 56, 58, 64, 70, 73, 174
- Food and Agriculture Organisation, 11
- food basket, 7, 166
- food insecurity, 2, 3, 4, 7, 9, 12, 14, 15, 16, 19, 21, 22, 23, 24, 28, 35, 36, 37, 42, 47, 52, 53, 56, 59, 67, 75, 76, 80, 89, 94, 95, 102, 103, 104, 107, 111, 112, 113, 114, 115, 116, 117, 118, 119, 121, 123, 128, 129, 136, 140, 142, 145, 147, 151, 152, 154, 155, 160, 162, 166, 167, 171, 174, 175, 177, 179, 181, 182, 184, 186, 187, 188, 189, 216
- food markets, 31, 34, 116, 174
- food prices, hikes, 24, 75, 155
- food scarcity, 14, 112
- food schemes, 47, 50
- food security, 1, 2, 3, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 22, 23, 40, 41, 42, 43, 44, 45, 50, 51, 53, 55, 56, 57, 58, 59, 60, 63, 65, 71, 73, 74, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 99, 100, 101, 103, 107, 114, 115, 116, 118, 120, 121, 122, 123, 124, 128, 129, 142, 143, 145, 146, 147, 159, 160, 169, 171, 172, 173, 174, 176, 180, 181, 182, 184, 185, 186, 187, 189, 190, 192, 195, 197, 205, 207, 210, 212, 217
- Food Security Act (FSA), 159, 167, 172
- food vouchers, 153
- forced evictions, 59, 62
- foster children, 126, 148
- framing, 4, 15, 17, 29, 32, 39, 50, 51, 85, 88, 90, 103, 113, 146, 176
- Freedom Charter, 68
- freedom from deprivation, 1
- freedom from want, 1
- freedom without *bread*, 1, 86
- French Revolution, 29
- fuel prices, 31
- Gauteng, 18, 111, 125, 141
- GDP  
Gross domestic product, 41, 43, 111, 197
- Ghana, 81, 113, 187
- GHI  
Global Hunger Index, 43, 195

- GIEWS  
 Global Information and Early Warning System on Food and Agriculture, 11  
 global economic crisis, 24  
 global food stocks, 7, 11  
*Global Hunger Index*, 1, 43, 185, 195  
 Global Information and Early Warning System, 11  
 Global North, 78, 109, 113  
 Global South, 4, 15, 35, 36, 55, 72, 105, 169  
 Gonsalvez, Colin, 46  
 government, 2, 7, 16, 18, 22, 25, 26, 29, 31, 33, 34, 35, 38, 39, 45, 46, 47, 51, 57, 58, 61, 62, 63, 64, 65, 67, 68, 69, 70, 72, 73, 75, 78, 79, 81, 87, 88, 89, 92, 93, 94, 97, 98, 99, 102, 107, 108, 110, 111, 113, 114, 117, 118, 121, 123, 124, 129, 131, 134, 135, 136, 139, 141, 142, 144, 146, 147, 148, 150, 154, 155, 156, 159, 168, 169, 171, 172, 174, 175, 178, 180, 182, 194, 198, 203, 210, 211, 217  
 Grand Agricultural Offensive for Food and Abundance programme, 35  
 grassroots, 25, 26, 27, 32, 33, 43, 54, 56, 57, 72, 73, 75, 136, 172, 181, 192  
 Grootboom, 73, 87, 88, 90, 94, 95, 96, 98, 99, 100, 190, 198, 201, 202, 203  
 Gujarat, 44  
 Haiti, 36, 38, 190  
 harbor, 31  
 harvest, 10, 14, 32  
 Himachal Pradesh, 52, 55  
 HIV/AIDS, 2, 71, 74, 95, 178  
 hoarding, 32, 34  
 Hong Kong, 26  
 Hosni Mubarak, 33  
 House of Tudor, 150  
*Household Food and Nutrition Security Strategy* (HFNSS), 103, 117  
 household income, 8, 28, 128, 139  
 households, 2, 3, 5, 6, 9, 10, 15, 16, 18, 19, 21, 28, 39, 53, 54, 63, 65, 67, 75, 76, 95, 106, 113, 114, 118, 121, 124, 129, 134, 135, 137, 138, 139, 141, 146, 147, 149, 157, 159, 160, 163, 165, 166, 169, 173, 178, 181, 185, 210, 212  
 housewives, 27, 30, 33, 34, 37  
 human dignity, 1, 91, 157, 214  
 human needs, 7, 9, 161  
 human rights, 3, 5, 6, 12, 13, 15, 20, 42, 43, 44, 47, 54, 56, 64, 82, 85, 93, 94, 102, 107, 178, 179, 180, 201, 202, 203, 214, 218  
 human rights activists, 3  
 ICDS  
 Integrated Child Development Services, 43, 47, 48, 49, 50, 52, 54, 55, 57, 195  
 ICESCR  
 International Covenant on Economic, Social and Cultural Rights, 5  
*ikasia*, 152  
 Ilima/Letsema programme, 139  
 IMF  
 International Monetary Fund, 11, 61  
 import stabilisation, 7  
 income, 3, 6, 7, 10, 14, 17, 18, 28, 31, 38, 41, 89, 103, 111, 112, 118, 119, 121, 124, 136, 137, 138, 139, 148, 152, 159, 161, 170, 179, 206  
 income inequality, 3  
 India, 3, 20, 21, 40, 42, 46, 48, 49, 50, 55, 56, 57, 168, 172, 181, 188, 194, 195, 196, 197, 201  
 Indian Constitution, 46  
 Indian Medical Council, 54  
 indigenous population, 105  
 inflation, 24, 27, 28, 32, 34, 39, 79, 109, 127, 128, 209  
 infrapolitics, 36, 44  
 inherent right, 5, 6, 29  
 insurgents, 26  
 Integrated Child Development Services, 43  
 international community, 10, 12, 83, 109, 202  
 International Conference on Nutrition, 13  
 International Covenant on Economic Social and Cultural Rights, 5  
 International Human Rights Day, 71

- International Labour Organisation, 11  
 International Monetary Fund, 11, 108  
 investments, 15, 145, 154  
 Islam, 162, 165  
 Israelites, 4
- Jacob Zuma, 155, 178  
 Jewish, 34, 192  
 Johannesburg, 117, 160, 206, 208  
 Joseph, 4  
 Julius Malema, 116, 204
- Kant, 153, 157, 158, 163, 213, 214, 215  
 Karnataka, 50  
 Kerala, 50  
 Khartoum, 26  
 kosher meat, 35  
 KwaZulu-Natal, 67, 141, 210
- land, 3, 6, 7, 16, 17, 19, 22, 31, 43, 45, 54, 63, 65, 66, 67, 73, 87, 89, 96, 99, 103, 104, 107, 110, 111, 113, 118, 121, 129, 130, 131, 132, 133, 134, 135, 136, 138, 140, 141, 143, 144, 145, 146, 147, 153, 154, 156, 165, 166, 180, 186, 204, 205, 206, 209, 210, 211, 212  
 Land Claims Court (LCC), 133  
 land economy, 3  
 land expropriation, 22, 136  
 Land Reform, 95, 118, 135, 207, 211  
 landlords, 97, 132  
 landowners, 107  
 lawyers, 38, 43  
 Les Cayes, 36  
 liberalisation, 12, 43, 61, 108, 146  
 liberation struggle, 1, 96, 105  
 Limpopo, 18, 125, 137, 141, 212  
 litigation, 20, 21, 43, 44, 46, 48, 49, 50, 52, 56, 57, 60, 72, 74, 94, 98, 179, 180, 183, 196  
 livestock, 16, 88, 137, 139, 140  
 lobbying, 20, 21, 47, 52, 57, 60, 72, 75, 144, 177, 181  
 local market, 3, 27, 37, 38, 108, 122  
 lockdown, 24, 110  
 looting, 28, 33  
 Louis XVI, 29  
 Luxembourg, 77
- Maastricht Guidelines*, 87, 203  
 macroeconomic stability, 12  
 Malawi, 113  
 malnutrition, 1, 15, 42, 43, 89  
 Malthus, 13, 31, 186, 192  
 Mandela, Nelson, 1, 73, 117, 186  
 Marcus Cicero, 4, 27  
 market distribution, 7  
 Maryport, 32  
 Maslow, 9, 161, 187, 214  
 mass meetings, 33  
 materialism, 31  
 Mauritania, 36, 38  
 Mbeki, 113, 177, 206  
 McNamara, 11, 187  
 MDM  
 Mid-Day Meal, 43, 47, 48, 49, 50, 51, 55, 57, 58  
 MENA  
 Middle East and North Africa, 24  
 mental health, 2, 96, 179, 215  
 middlemen, 32, 34  
 milk, 30, 32, 38, 74, 92, 173  
 Miners Association, 33  
 Mmusi Maimane, 116, 206  
 mobilisation, 3, 22, 24, 26, 29, 30, 32, 33, 41, 42, 43, 63, 64, 68, 69, 70, 71, 72, 73, 74, 75, 136, 181  
 moral economy, 29, 191, 193  
 moral obligation, 23, 149, 152, 160, 163, 165, 214  
 mothers, 8, 27, 30, 37, 43, 49, 56, 73, 147, 179, 215  
 Mpumalanga, 18, 125, 137, 141  
 Muslim Brotherhood, 34, 38
- National African Farmers' Union, 144  
 National Council of Provinces, 25, 176  
 National Development Plan (NDP), 118, 171  
 National Planning Commission (NPC), 118  
 National Student Financial Aid Scheme, 69  
 National Treatment Plan, 71  
 Native Reserves, 104  
 Nazi, 32  
 Nestlé, 110  
*net exporter of agricultural produce*, 4  
 New Economic Policy, 3, 42, 196

- New York City, 34, 192  
 New Yorkers, 26  
 NGOs, 25, 47, 50, 67, 73, 74, 75, 150, 180, 181, 182, 183  
 Nigeria, 81, 82, 87, 88, 203, 217  
 Nkandla, 155, 214  
 nobles, 28  
 non-communicable diseases, 1  
 North West, 125, 141  
 Northern France, 30  
 Norway, 77  
 nutrition, 5, 10, 16, 43, 46, 48, 54, 57, 75, 85, 91, 96, 97, 103, 186, 202  
 New York City, 34
- ODA  
 Official Development Assistance, 13  
 OHCHR  
 Office of the High Commissioner for Human Rights, 2, 14, 188  
 Om Srivastava, 47  
 Omar al-Bashir, 26  
 own food, 3, 6, 89, 91, 107, 112, 132, 134  
 Oxfam, 64, 74, 160, 181
- panic buying, 24, 110, 204  
 parliament, 42, 49, 51, 52, 54, 67, 81, 86, 94, 149, 163, 176, 177, 178, 179, 182, 215, 217  
 participation, 4, 9, 38, 81, 86, 142, 144, 146, 147, 156, 172
- PDS  
 Public Distribution System, 43, 48, 53, 58  
 People's Union of Civil Liberties, 44, 46  
 pesticides, 17, 122, 136, 140, 145  
 Pharaoh, 4  
 Pharmaceutical Manufacturers' Association, 72  
 picketing, 33, 35, 61  
 PicknPay, 110, 164  
 policy actors, 20, 175, 176, 179, 180  
 policy reform, 19, 20, 51  
 political battle, 1  
 political change, 13, 33  
 political obligation, 1  
 political strategies, 27  
 politics of provision, 32  
 Pompey, 27  
 Poor Law, 150, 213  
 poor relief, 150, 168  
 poor tax, 23, 149, 150, 154, 159, 165  
 potatoes, 32  
 poverty, 3, 6, 7, 9, 11, 12, 14, 15, 18, 19, 20, 22, 23, 30, 31, 32, 37, 42, 48, 52, 53, 61, 70, 73, 80, 84, 92, 104, 105, 106, 108, 109, 111, 112, 113, 116, 117, 118, 119, 120, 124, 128, 130, 133, 135, 139, 142, 143, 147, 151, 155, 160, 168, 169, 171, 177, 185, 187, 192, 204, 206, 208, 209, 210, 212, 213, 215, 218  
 poverty reduction, 12, 13  
 power struggles, 24  
 pregnant women, 3, 45, 52, 53, 54, 57, 75, 129, 179  
 pressure groups, 13  
 Prével, René, 36  
 procedural justice, 3  
 processions, 33  
 profiteering, 32, 35, 72  
 protest, 19, 25, 27, 35, 36, 37, 49, 50, 52, 57, 58, 61, 181, 182, 187, 188, 191, 192, 193, 194, 196, 197, 198, 199, 200, 202, 207, 214, 215, 217, 218  
 Proverbs, 162, 163  
 PUCL  
*People's Union of Civil Liberties*, 44, 46, 48, 50, 196
- Quran, 162
- radical actions, 26  
 Rajasthan, 46  
 Ramaphosa, Cyril, 116, 160  
 rape, 139, 141, 212  
 rebels, 26  
 Reconstruction and Development Programme, 65, 96, 178  
 regional food supply, 4  
 religious organization, 27  
 restitution, 95, 133, 213  
 retrenchment, 16, 31, 102, 113, 131, 132, 136, 156, 167  
 revolutions, 26, 194  
 RFC  
 Right to Food Campaign, 3, 21, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 181, 196

- rice, 35, 36, 43, 46, 55, 173  
 Rif War, 34  
 right to food, 1, 22, 23, 41, 65, 77, 78, 102, 178, 183, 187, 188, 195, 196, 201, 202, 207, 217  
 rights-based-opposition groups, 63  
 riots, 26, 190, 191, 193  
 rising food prices, 2, 19, 124, 149, 209  
 Rhodes, Cecil John, 68  
 Roman consul, 4, 27  
 Rome, 13, 27, 185, 188, 190  
 RTF; see RFC Right to Food Campaign  
 ruling class, 27  
 rural, 2, 9, 10, 11, 14, 16, 17, 18, 21, 22, 31, 35, 37, 42, 48, 49, 53, 58, 75, 103, 105, 107, 110, 115, 116, 117, 118, 119, 122, 130, 131, 132, 133, 134, 135, 136, 137, 139, 140, 141, 143, 145, 146, 155, 166, 167, 184, 204, 205, 206, 211, 212  
 rural development, 118, 135, 211  
  
 S'bu Zikode, 66  
 Sahel, 10  
 SAHRC, 91, 93, 94, 100, 180, 183  
 Sandton, 152  
 SAP  
   Structural Adjustment Programme, 11, 12  
 SAPS  
   South African Police Service, 19, 61, 189, 200  
 Saudi Arabia, xiv, 31  
 SCMs  
   Steering Committee Members, 44, 47, 48, 50  
 Seaboard, 110, 152  
 Sen, 3, 4, 8, 11, 14, 16, 26, 33, 46, 47, 49, 110, 119, 189, 193, 195, 209  
 Senegalese, 35  
 sextortion, 139  
 shopkeeper, 33  
 Shoprites, 164  
 signing petitions, 33, 45, 65  
 Singer, 152, 153, 158, 162, 215  
 Singh, Manmohan, 42  
 smallholders, 16, 22, 51, 109, 122, 130, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, 146, 147, 155, 174  
  
 social cohesion, 32, 113  
 social grants, 3, 81, 106, 124, 127, 138, 153, 184  
 social media, 50, 75, 76  
 Social Relief of Distress Grant (SRGD), 126  
 social security, 22, 75, 78, 79, 86, 89, 111, 124, 168, 169, 170  
 social services, 96, 97  
 socioeconomic demands, 2  
 policies, 2, 4  
 reform, 27  
*Soobramoney*, 87, 88, 92, 93, 203  
 soup kitchens, 32  
 South Africa, 1, 2, 3, 4, 5, 6, 8, 12, 14, 15, 16, 17, 19, 20, 21, 23, 24, 25, 28, 40, 41, 42, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 67, 70, 73, 75, 77, 80, 83, 84, 92, 94, 95, 97, 100, 102, 103, 104, 105, 107, 108, 111, 112, 113, 116, 117, 120, 122, 128, 130, 131, 135, 141, 144, 146, 149, 151, 152, 153, 154, 155, 159, 160, 164, 165, 166, 168, 170, 176, 177, 180, 181, 184, 185, 186, 187, 188, 189, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218  
 South African Revenue Service (SARS), 155  
 South Africans, 13, 15, 16, 17, 18, 100, 102, 109, 118, 119, 120, 124, 148, 152, 157, 166, 167, 175, 178, 198, 212, 213, 214  
 Soviet Union, 10  
 Soweto Electricity Crisis Committee, 63  
 Spanish women, 34  
 SRoD  
   Social Relief of Distress, 18  
 stakeholders, 15, 132, 165, 172, 175  
 staple food, 17, 31, 92, 102, 108, 115, 173, 174, 183  
 starvation, 12, 13, 29, 46, 49, 57, 78, 84, 86, 128, 179, 190, 194  
 StatsSA, 1, 15, 17, 18, 111, 112, 113, 119, 120, 127, 128, 137, 139, 141, 148, 181, 189, 197, 209, 212, 215, 218  
   Statistics South Africa, 1  
 stockpile, 32

- stow-aways, 33  
 streets, 27, 30, 31, 34, 35, 36, 37, 39,  
     42, 45, 49, 51, 59, 62, 67, 69, 71,  
     75, 118, 149  
 students, 38, 59, 68, 69, 70, 74, 81, 179  
 subsistence farming, 18, 113, 130, 139,  
     140, 146  
 Sudan, 12, 26, 77, 185  
 Sudanese, 9  
 sugar, 38, 43  
 survival, 9, 27, 30, 41, 46, 107, 115,  
     128, 130, 134, 138, 151, 157, 179  
 sustainable agricultural practice, 14  
 Syria, xiv, 31, 77  
  
 Tamil Nadu, 44, 50, 52, 55  
 teenage pregnancy, 139  
 Tilly, 26, 27, 194  
 Tonga, 77  
 Toronto, 35  
 townships, 17, 59, 61, 63, 65, 118, 137  
 toyi-toying, 33  
 trade unions, 37, 44, 64  
*Treatment Action Campaign*, 22, 59,  
     93, 175, 198, 199, 203  
 Tsakane, 152  
 Twitter, 50, 198  
  
 UK, 25, 192  
 UN, 7  
 UN Children's Fund, 12  
 UN General Assembly, 11  
 undocumented migrants, 26  
 UNDP  
     United Nations Development  
         Programme, 197  
 unemployment, 2, 11, 15, 16, 19, 23,  
     42, 104, 106, 109, 113, 128, 130,  
     148, 149, 152, 154, 166, 167, 168,  
     171, 179, 209, 210  
 unfair distribution, 32  
 UNICEF  
     United Nations Children's Fund, 7, 12  
 Unilever, 110  
 United Arab Emirates, xiv, 25, 31, 192  
 unregulated food markets, 27  
 urban, 2, 16, 18, 21, 22, 31, 32, 35, 37,  
     39, 42, 48, 50, 53, 66, 75, 95, 103,  
     106, 115, 116, 117, 118, 119, 130,  
     131, 132, 136, 141, 144, 145, 146,  
     164, 166, 167, 170, 184, 185, 187,  
     192, 206, 207, 218  
 urban farmers, 18  
 USA, 77, 214  
     United States of America, 25  
*uThungulu*, 155  
  
 vaccination, 16, 139  
 VAT  
     value-added tax, 16, 17, 173, 189, 213  
 vendors, 32, 34, 35  
 Vosloorus, 152  
 vote, 37, 67, 79, 86, 177, 178, 190  
  
 Wade, President, 35  
 wages, 7, 17, 18, 31, 34, 36, 39, 79, 92,  
     105, 106, 107, 109, 113, 116, 124,  
     146, 170  
 Wales, 150  
 Wallacedene, 96  
 WB  
     World Bank, 8, 11, 12, 13, 190  
 West Cumberland, 32, 38  
 Western Asia, 31  
 Western Cape, 18, 63, 91, 111, 125,  
     141, 199  
 WFC  
     World Food Conference, 7  
 WFP  
     World Food Programme, 43, 197  
 WFS  
     World Food Security, 11  
 WhatsApp, 50  
 wheat, 32, 34, 35, 36, 43, 46, 55, 110,  
     115, 204, 208  
 White Paper on Land Policy, 131  
 white-collar staff, 34  
 Woolworths, 164  
 World Bank, 8, 43, 61, 108, 109, 111,  
     188, 190, 197, 210  
 World Food Conference, 7, 188, 190  
 World Food Security, 11  
 World Food Summit, 13, 185  
 World Summit for Children, 13  
 World War II, 31  
  
 yellow maize, 35  
 youth, 24, 31, 35, 196, 198, 210  
  
 zero hunger, 2