

**The realisation of the right of access to
sufficient food in South Africa: A comparative
assessment of subsistence farming and social
grants as means to ensure food security in
rural households**

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DECLARATION

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ABSTRACT

The right to have access to sufficient food is one of the constitutionally entrenched rights in the South African *Constitution*. Section 27(1)(b) of the *Constitution* provides that everyone has the right to have access to sufficient food. Section 27(2) of the *Constitution* provides that the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of these rights. This imposes an obligation on the government to take legislative and other measures to ensure that strategies are in place to achieve the realisation of the right to have access to food.

Since South Africa became a democratic state, the government has enacted several legislative measures and other measures aimed at realising socio-economic rights, including the right to have access to food. These legislative measures and other measures comply with South Africa's national, regional and international obligations and commitments. The government has over the years implemented strategies to ensure that it fulfils its obligations in respect of the right to have access to food. These interventions include short-term and long-term interventions aimed at reducing poverty and increasing food security, especially at household level. Rural households suffer from the most severe poverty and food insecurity. This thesis seeks to investigate the extent to which the South African government is complying with its national and international commitments and obligations in realising the right to have access to food, as entrenched in section 27(1)(b) of the *Constitution*, through its short-, medium- and long-term measures, with specific reference to rural households.

In this investigation, the content and context of the right to have access to food as contained in national law, regional law and international law are examined. Relevant legislative measures and human rights instruments relating to the right to food are analysed and discussed. The role of poverty in perpetuating food insecurity, especially in rural households, is discussed. The government's strategies to reduce food insecurity are identified in the context of both short-term and long-term food security interventions, namely social grants and subsistence farming. This is followed by a detailed analysis of the role of subsistence agriculture as a food security intervention, as

outlined in national, regional and international law frameworks. Case studies are used to examine the prevailing realities of rural households that rely on subsistence farming, either as a source of food or as a source of income. With reference to Tanzania, Uganda and Nigeria, a comparative analysis is conducted to discuss the importance of government support systems in ensuring the viability of subsistence farming as a food security intervention. Lessons relevant to South Africa are drawn from this comparative analysis with a view to adopting a pluralistic extension system to revive the subsistence agricultural sector.

In conclusion, this thesis reveals the need for government to adopt proactive legislative and other measures that will empower households to engage in profitable subsistence agriculture to meet their food needs and increase household income.

KEYWORDS: Access to food, food security interventions, poverty, poverty alleviation, social grants, subsistence agriculture

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LIST OF ABBREVIATIONS

ACSIJ	Advances in Computer Science: An International Journal
ADBG Working Paper Series	African Development Bank Group Working Paper Series
AFDC	Aid to Families with Dependent Children
AISA Policy Brief	Africa Institute of South Africa Policy Brief
AJFAND	African Journal of Food, Agriculture, Nutrition and Development
APAP	Agricultural Policy Action Plan
Appl Water Sci	Applied Water Science
ASDP	Agricultural Sector Development Programme of 2001
ASDS	Agricultural Sector Development Strategy of 2001
BWPI Working Paper	Brooks World Poverty Institute Working Paper
CAADP	Comprehensive Africa Agriculture Development Programme of 2003
CASP	Comprehensive Agriculture Support Programme of 2004
CCAFS	Research Program on Climate Change Agriculture and Food Security
CGDEV Working Paper	Center for Global Development Working Paper
CPRC Working Paper	Chronic Poverty Research Centre Working Paper
CRC	Convention on the Rights of the Child
CRDP	Comprehensive Rural Development Programme of 2009
CSSR	Center for Social Science Research Working Paper
DSIP	Agriculture Sector Development Strategy and Investment Plan 2010/11–2014/15
EJISDC	The Electronic Journal of Information Systems in Developing Countries
EPRC Policy Brief	Economic Policy Research Centre Policy Brief
ERSA Working Paper	Economic Research Southern Africa Working Paper

ESA Working Paper	Agriculture and Development Economics Division Working Paper
GHS	General Household Survey
HSRC Policy Brief	Human Sciences Research Council Policy Brief
ICARRD	Declaration of the International Conference on Agrarian Reform and Rural Development of 2006
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDS	Institute for Development Studies
IES	Income and Expenditure Survey
IFAD	International Fund for Agricultural Development
IFPRI	International Food Policy Research Institute
IFSS	Integrated Food Security Strategy for South Africa of 2002
Int. Res. J. Environ. Sci. Stud	International Research Journal of Environmental Sciences and Studies
ISRDS	Integrated Sustainable Rural Development Strategy of 2001
IJAERD	International Journal of Agricultural Economics and Rural Development
IZA Discussion Paper	Institute for the Study of Labor Discussion Paper
JAERD	Journal of Agricultural Extension and Rural Development
JIAEE	Journal of International Agricultural and Extension Education
LCS	Living Conditions Survey
MDGs	Millennium Development Goals
NAP	National Agriculture Policy
NDP	National Development Plan 2030

NIDS Discussion Paper	National Income Dynamics Study Discussion Paper
OECD Working Papers	Organisation for Economic Co-operation and Development Working Papers
OPHI Working Paper	Oxford Poverty and Human Development Initiative Working Paper
PEAP	Poverty Eradication Action Plan 2004/5–2007/8
PMA	Plan on Modernisation of Agriculture of 2000
RDP	White Paper on Reconstruction and Development
SAJAE	South African Journal on Agricultural Extension
SAJELP	South African Journal of Environmental Law and Policy
SAJHR	South African Journal on Human Rights
SAPL	South African Public Law
SDGs	Sustainable Development Goals
SOFI	State of Food Insecurity in the World Report
TAFSIP	Tanzania Agriculture and Food Security Investment Plan of 2011
TANF	Temporary Assistance for Needy Families
TAPP	Tanzania Agriculture Productivity Program 2009–2014
TSEST	Transaction on Electrical and Electronic Circuits and Systems
UNDP	United Nations Development Programme
UDHR	Universal Declaration on Human Rights
UFNP	Uganda Food and Nutrition Policy of 2003
UFNS	Uganda National Food and Nutrition Strategy of 2005

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Chapter 1: Introduction

1.1 Problem statement

Poverty and food insecurity were among the greatest challenges that faced the government when South Africa became a democratic state. According to the 2002 Taylor report,¹ 45% to 55% of South Africans were living in poverty when South Africa became a democratic state. At least 61% of Africans could be classified as poor in 2002. Women accounted for 60% of the members in the poorest households, and rural households were also among the poorest.

The status of household poverty has not changed much since 2002. The Poverty Trends Report, 2017 revealed that an estimated 30.3 million people lived below the Upperr Bound Poverty Line ("UBPL"), with at least 64.2% of black Africans living below the UBPL.² Female-headed households and rural households remained the most affected by poverty,³ because income poverty is still a problem in South Africa. At least 21.7% of households nationally depended on social grants as a source of income in 2015.⁴ The number of social grant beneficiaries increased to 30.8% and 31% in 2017 and 2018 respectively.⁵ The wider dependence on social grants makes households vulnerable to food insecurity due to a lack of income to access basic needs, including food. As a result, most rural households bear the severe brunt of lack of access to food. The General Household Survey of 2018 ("GHS 2018") indicates that people living in rural provinces experience inadequate and severely inadequate access to food.⁶

The prevalence of food insecurity in rural households has necessitated the promulgation of legislative frameworks aimed at socio-economic upliftment and poverty alleviation. A guiding framework for policymaking is the White Paper on

¹ Taylor Committee Report No 8: Poverty, Social Assistance and the Basic Income Grant (2002).

² Poverty Report (2015) 69.

³ Poverty Report (2015) 78–91.

⁴ GHS (2015) 63–64.

⁵ See Table 7.1 below.

⁶ GHS (2018) 67.

Reconstruction and Development⁷ ("RDP"), which aim to improve the quality of life of all South Africans by providing an enabling environment for meeting their basic needs.⁸ The government is obligated to provide an environment that enables citizens to realise their socio-economic rights.⁹ Human development is important in promoting access to social goods. Poverty, however, hinders human development.¹⁰ Human development plays a vital role in ensuring that people's capacity to live long and healthy lives is strengthened.¹¹ Factors such as hunger and food insecurity limit the capacity of people to live dignified lives, by preventing households and individuals from taking advantage of opportunities, such as education and health care, which can enable human development.¹² Achieving human development ultimately allows households to adopt processes that allow them to escape hunger and food insecurity.¹³ This means that households need to be equipped with the capacity to ensure food security.¹⁴

To achieve its goal to eradicate food insecurity, the government needed to adopt interventions that strive to tackle hunger and socio-economic needs. The government had to ensure that the nutritional rights of citizens were addressed, among other rights.¹⁵ Section 27(1)(b) of the *Constitution* read with section 27(2) of the *Constitution* enables the government to adopt interventions that aim to realising the right to have access to sufficient food in order to ensure that the food needs of households are met.¹⁶ The government, consistent with its constitutional mandate and national commitments outlined in the International

⁷ *White Paper on Reconstruction and Development* Gazette 16085, Notice 1954, 23 November 1994.

⁸ RDP para 1.4.2.

⁹ RDP paras 1.2.11, 2.2.3 and 2.2.4.

¹⁰ RDP paras 1.2.9, 2.1.1 and 2.1.2.

¹¹ Human Development Report (1997); Alkire 2010 *OPHI Working Paper* 27 defines "human development" as a multidimensional concept that focuses on essential freedoms, enabling people to lead long and healthy lives, to acquire knowledge, to be able to enjoy a decent standard of living and to shape their own lives.

¹² African Human Development Report (2012) 9–12.

¹³ African Human Development Report (2012) 13–15.

¹⁴ Burchi and De Muro 2012 *UNDP Working Paper* 20–28.

¹⁵ See para 3.5.1 of this thesis-social welfare benefits were extended to permanent residents in the *Khosa v Minister of Social Development* 2004 6 SA 505 (CC) para 80.

¹⁶ See para 2.2.3 of this thesis- one of the elements of is "adequacy" which entails that food should contain adequate nutrients.

Covenant on Economic Social and Cultural Rights ("ICESCR"), the Millennium Declaration and the Rome Declaration 2009, has since adopted poverty alleviation measures that promote the realisation of the right to have access food. These measures encompass short-term, medium-term and long-term interventions. In the short term, the government seeks to implement protective interventions such as social grants to in order to address immediate food needs.¹⁷ The government's medium- to long-term food security strategy namely subsistence farming, is geared towards adopting interventions that promote household food self-sufficiency. Hence, a coordinated food security strategy means that the government bears the enormous task of ensuring that both short-term and long-term food security interventions are not only good on paper, but can also be implemented.

The prevalence of poverty and food insecurity in rural households of South Africa motivated this study. The intention is to determine the effectiveness of these interventions (ie social grants and subsistence farming) in promoting food security within the broader framework of human rights and the concept of food sovereignty. The aim is to show that the right to have access to sufficient food is more than a right entrenched in legislative frameworks¹⁸; it is an entitlement that aims to promote human development and secure the physical well-being of the most vulnerable and marginalised households. I examine the right to food within the broader international, regional and national legal frameworks, with the aim of gauging whether South Africa has fulfilled its obligations and commitments in realising the right to have access to food.

The study uses a rights-based approach to examine the content and elements of the right to food within the context of the concept of food sovereignty. Food security interventions in the form of social grants and subsistence farming are discussed in order to indicate the importance of such mechanisms in improving food security. Lastly, the challenges encountered in implementing long-term food security interventions are analysed, using various case studies and national

¹⁷ Devereux 2016 *Food Policy* 55–58.

¹⁸ See para 1.2.8 of this thesis below on the definition of "legislative frameworks".

policies to indicate the integral role of transformative measures in promoting food security.

1.2 Definitions

The nature of this study necessitates that a few definitions/ concepts be outlined. All these definitions and concepts are referenced where appropriate in the paragraphs below.

1.2.1 Conservation farming/agriculture

"is a farming approach that involves three basic principles, namely; minimum soil disturbance or no-tillage, permanent soil cover and diversified crop rotations or associations".¹⁹

1.2.2 Food security

"means that all people, at all times, should have access to sufficient, safe, and nutritious food that meets their food preferences and dietary needs for an active and healthy life".²⁰

1.2.3 Food security interventions/strategies/measures

This refers to the interventions, strategies and measures adopted by states and governments to promote the right to food and the right to have access to food to enable food self-sufficiency either from own production or by buying.

1.2.4 Food sovereignty

"Entails the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agricultural systems".²¹

1.2.5 Human security

"Is the idea that all human beings should be able to live a life of dignity and respect free from both political fear and socio-economic want".²²

¹⁹ See para 6.2.2.4 of this thesis.

²⁰ See para 1.4 of this thesis.

²¹ See para 2.3.5 of this thesis.

1.2.6 Poverty

"Is defined as a human condition characterised by the sustained or chronic deprivation of resources, capabilities and choices²³. This includes income poverty, relative poverty and absolute poverty".²⁴

1.2.7 Poverty alleviation

Refers to an approach adopted by governments aimed at uplifting people from poverty.²⁵

1.2.8 Social development

Is a process aimed at the improvement of a person's well-being, needs and aspirations.²⁶

1.2.9 Social grants

Refers to protective measures aimed at meeting an individual's or household's immediate food needs provided in cash or kind.²⁷

1.2.10 Social protection

"All public and private initiatives that provide income or consumption transfers to the poor, protect the vulnerable against livelihood risks and wants".²⁸

1.2.11 Subsistence farming (agriculture)

"Refers to farming and associated activities that together form a livelihood strategy, where the main output is for household consumption and the remaining output, if any, is marketed for an extra source of income".²⁹

²² See para 3.3.1.3 of this thesis.

²³ See para 3.2 of this thesis.

²⁴ See para 2.3.3 of this thesis.

²⁵ See paras 1.1 and 2.2 of this thesis.

²⁶ Copenhagen Declaration para 7.

²⁷ Chapter 7 of White Paper on Social Welfare.

²⁸ Devereux and Sabates-Wheeler 2004 *IDS Working Paper* 9.

²⁹ Morton 2007 *PNAS* 19680; see para 4.4.1 of this thesis.

1.2.12 Sustainable livelihoods

A livelihood is "sustainable when it can cope with and recover from stresses and shocks, maintain or enhance its capabilities and assets both now and in the future, while not undermining the natural resource base".³⁰

1.3 Research question, hypothesis and objectives of the study

A comparative assessment of subsistence farming and social grants as food security interventions in realising the right of access to sufficient food brings to the fore the following research question. Is the South African government, through short and long term measures designed to realise the constitutionally entrenched right of access to sufficient food in section 27(1)(b) of the Constitution of the Republic of South Africa, 1996 ("the Constitution"), complying with and fulfilling its national, regional and international commitments and obligations to ensure food security for rural households? My hypothesis is that the South African government complies with its short-term commitments in providing immediate social assistance in the form of social grants; however, has failed to fulfil its long-term commitments by failing to adequately promote subsistence farming as a strategy in realisation of the right to have access to sufficient food.

The main objective of the study is to determine the extent to which the South African government complies with its national, regional and international commitments and obligations to ensure food security in rural households through its short-term, and long-term measures aimed at realising the right of access to sufficient food that is entrenched in section 27(1)(b) of the *Constitution*. The study addresses issues of food security critical to South Africa's international commitments and obligations. As a signatory to the Rome Declaration South Africa, has an obligation to ensure that poverty is eradicated, specifically for the most vulnerable members of the community, including the rural poor.

The study aims to achieve the following secondary objectives:

³⁰ Scoones 1998 *IDS Working Paper* 5. Scoones adapted the definition of sustainable livelihood by Chambers and Conway 1991 *IDS Working Paper* 6; see para 3.4.5.2 of this thesis.

- Firstly, it aims to critically discuss the relevance and importance of international and regional instruments in ensuring that the government realises the right to food within acceptable international standards.
- Secondly, the study critically examines the right to have access to sufficient food as entrenched in section 27(1)(b) of the *Constitution* in the light of the existing legislative frameworks and other measures aimed at realising the right to have access to food. The aim is to establish the relevance of these legislative frameworks and measures in promoting household food security and human development in rural households. Thirdly, this study provides a comparative assessment of social grants and subsistence farming as food security interventions in promoting food insecurity. The study examines the capacity of social grants in alleviating household food insecurity in rural households.
- Fourthly, the study determines whether subsistence farming is a viable strategy in achieving household food security in rural households.
- Finally, the study assesses whether the government adequately promotes subsistence farming as a strategy in realising the right to have access to sufficient food. This study shows how lack of access to extension knowledge and innovations has limited the potential of subsistence agriculture as a food security strategy in South Africa. This not only falls foul of section 27(1)(b) and section 27(2) of the *Constitution* but also perpetuates food insecurity in rural households, since the majority of the rural populace relies on subsistence agriculture to supplement their food supply. The study shows the potential of subsistence agriculture in promoting household food sufficiency, the position in foreign jurisdictions was discussed. Three countries have been selected namely Tanzania, Uganda and Nigeria. These countries have a vast population that relies on subsistence farming as a food security strategy. This has necessitated their respective governments to adopt legislative frameworks that promote

agricultural transformation specifically in Tanzania and Uganda.³¹ In Nigeria, legislative frameworks that promote agriculture remain fragmented which makes it difficult for subsistence farming to thrive.³² This study shows the importance of subsistence farming as a food security strategy in these countries and lessons are drawn to determine whether the South African government adequately promotes subsistence agriculture as a food security strategy.

The assumption underlying this study is that social assistance grants, and small-scale (subsistence) agriculture, are important in reducing food insecurity. However, the degree of effectiveness of social grants in ensuring food security in rural households is questionable. At the same time, subsistence agriculture is arguably a more viable food security intervention than social grants in establishing food security in rural households. This study provides further investigation and clarification. This clarification (a) addresses the importance of ensuring food security at household level, specifically in rural communities, bringing to the fore the relevance and the practical impact of government policies aimed at reducing food insecurity; and (b) inform rural communities about the government assistance available for small-scale farmers, such as agricultural extensions.

1.4 Literature review on the right to have access to food

The defining feature of food insecurity is that it restricts a person's opportunities to pursue his or her well-being.³³ Food insecurity diminishes human capabilities and renders the affected persons not only economically vulnerable, but also physically insecure.³⁴ This affects human development and well-being; and governments have to promote access to the basic amenities of life, such as housing food, health care etc.³⁵ Section 27(1)(b) of the *Constitution* therefore

³¹ See Chapter 6 of this thesis for a full discussion.

³² See Chapter 6 of this thesis for a full discussion.

³³ Kapindu 2006 *African Human Rights Law Journal* 495; see also Clover 2003 *Africanus* 7–23.

³⁴ McMurray and Jansen van Rensburg 2004 *PER* 2.

³⁵ See para 2.2 of this thesis.

imposes a positive obligation on the state to ensure that everyone has access to sufficient food and water, subject to certain limitations imposed by section 27(2). The state, taking its cue from section 7(2) of the *Constitution*, must have short-term, medium-term and long-term measures in place to ensure respect for, as well as the protection of, the promotion and fulfilment of the right to have access to sufficient food in accordance with the state's national, regional and international commitments and obligations.

A plethora of legislative frameworks aim to give effect to the right to have access to food in South Africa, such as the White Paper on the Reconstruction and Development Programme, 1994 ("RDP"), the Integrated Sustainable Rural Development Strategy, 2000 ("ISRDS") and the *Social Assistance Act*. These legislative frameworks and policies not only promote human development and survival, but also strive to curb the inequality brought about by poverty and food insecurity.³⁶ The inequality perpetuated by food insecurity is evident from the fact that, although poverty is widespread in South Africa, those living in rural areas still bear the brunt of deprivation and disadvantage.³⁷ As a result, the government has adopted several measures, including the promulgation and adoption of legislative frameworks aimed at possibly reducing food insecurity in rural areas.³⁸ The ISRDS and the Comprehensive Rural Development Programme of 2009 ("CRDP") are examples of such measures. The importance of these policies can be found in the argument advanced by Taylor³⁹ that the proper realisation of socio-economic rights is an essential element of human security. Therefore, tackling household food insecurity, especially in rural areas, advances human security and development.

In *Government of RSA v Grootboom*⁴⁰ Yacoob J held as follows:

"Our Constitution entrenches both civil and political rights and social and economic rights. All the rights in our bill of rights are inter-related and mutually

³⁶ Liebenberg and Goldblatt 2007 *SAJHR* 335–361; see also Mafunganyika 2011 *SAPL* 206–207.

³⁷ Binza 2007 *Journal for Contemporary History* 3–5.

³⁸ See para 3.5 of this thesis.

³⁹ Taylor 2002 *ESR Review* 31–32.

⁴⁰ 2001 1 SA 46 (CC).

supporting. There can be no doubt that human dignity, freedom, and equality, the foundational values of our society, are denied those who have no food, clothing, or shelter. Affording socio-economic rights to all people therefore enables them to enjoy the other rights enshrined in chapter 2. The realisation of these rights is also important to the advancement of race and gender equality and the evolution of a society in which men and women are equally able to achieve their full potential".⁴¹

According to the definition coined at the 1996 World Food Summit in Rome,⁴² "food security" exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life. After 1994, South Africa has thus committed itself at an international level to realising the right to have access to sufficient food. South Africa has since ratified the International Covenant on Economic, Social, and Cultural Rights ("ICESCR"), signed the Universal Declaration on Human Rights ("UDHR") and ratified the Convention on the Rights of the Child ("CRC"). In 2000, South Africa adopted the United Nations Millennium Declaration ("Millennium Declaration") which sets out the Millennium Development Goals ("MDGs") and in 2009; it adopted the Rome Declaration of the World Summit on Food Security ("Rome Declaration 2009"). Goal 1 of the MDGs⁴³ focused on the eradication of extreme hunger and poverty, and its target was to "halve the proportion of people who suffer from hunger". Goals 1 and 2 of the Sustainable Development Goals ("SDGs") provide that the member states of the 2030 Agenda commit to ensuring that poverty, hunger and food insecurity are eradicated by the year 2030. The MDGs and SDGs are transformative goals and targets adopted by the nations of the world with the objective of eradicating poverty and combating inequalities in societies including socio-economic disparities.⁴⁴ Principle 3 of the Rome Declaration provides that the state parties must strive for a comprehensive twin-track approach to food security that consists of:

⁴¹ *Grootboom* para 23.

⁴² Rome Declaration on World Food Security and World Food Summit Plan of Action, para 1.

⁴³ The Millennium Development Goals were replaced by the 2030 Sustainable Development Goals

("the SDGs") on 2 August 2015.

⁴⁴ 2030 Agenda para 2.

- "Direct action to immediately tackle hunger as it occurs among those most vulnerable to it; and"
- "Sustainable medium- and long-term agricultural, food security, nutrition, and rural development programmes to eliminate the root causes of hunger and poverty, also through the progressive realisation of the right to adequate food".

These commitments align with South Africa's vision as outlined in the RDP and the National Development Plan 2030 ("NDP 2030"). The central aim of the RDP was to ensure the improvement of the quality of life of all South Africans.⁴⁵ The RDP set out ten priority areas that the government needed to address to achieve its objectives of a better quality of life for all. The priority areas included the provision of basic services in the form of nutrition, social security and social welfare.⁴⁶ This called for an all-encompassing social welfare system that was consistent with section 27(1)(c) of the *Constitution*.

In furthering the purposes of the RDP, the NDP 2030 aims to inform government policy on eliminating poverty and reducing inequality.⁴⁷ In line with the White Paper for Social Welfare, the NDP 2030 requires the government to develop a comprehensive social protection system that will include the provision of social grants.⁴⁸ The most common short-term measure in South Africa for reducing food insecurity is the provision of social grants, which to some extent assists households with meeting their basic survival needs.⁴⁹ Furthermore, research indicates that social grants play a vital role in alleviating household poverty, especially in child- and female-headed households.⁵⁰ This means that social grants as a food security intervention provide a formidable immediate strategy in reducing food insecurity in rural households, which is the result of unemployment and no income. To ensure the proper and effective realisation of the right to

⁴⁵ RDP para 1.4.

⁴⁶ RDP para 2.2.5.

⁴⁷ NDP para 24.

⁴⁸ NDP para 53.

⁴⁹ Brand 2002 *ESR Review* 16–17.

⁵⁰ Goldblatt 2009 *SAJHR* 442–466.

have access to food, the state must ensure household food security. In fulfilling its medium and long-term obligations to alleviate household food insecurity, the South African government has implemented legislative frameworks that seek to reduce food insecurity through agrarian reform, including subsistence farming.⁵¹

The first *Medium Term Strategic Framework: A Framework* ("MTSF") guides the government's programme in the electoral mandate period from 2009 to 2014⁵² and was incorporated in the CRDP. The document provides that, in order to halve poverty, government should develop a comprehensive rural development strategy linked to land and agrarian reform and food security, by promoting the expansion of small-scale agricultural production and other economic activities.⁵³ As indicated in the MTSF, poverty alleviation by agrarian means is an important food security intervention because several studies indicate that subsistence farming not only ensures food security but also provides income opportunities for households.⁵⁴ This is because the concept of food sovereignty is central to the use of long-term food security interventions, such as subsistence farming.⁵⁵ Food sovereignty entails the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agricultural systems.⁵⁶

The advancement of subsistence agriculture as a food security intervention involves more than the enactment of policies; it also involves the adoption of the necessary technological and ecological skills. For subsistence farming to be effective, constant support from the government through agricultural extension services is required. The main aim of extension programmes is to disseminate the relevant research outputs of the universities past traditional boundaries to

⁵¹ See the definition of "food insecurity" above on page 6 of this thesis.

⁵² See para 5.2.3.3 of this thesis-The second MTSF was adopted in 2014 for the period 2014 to 2019.

⁵³ MTFS para 38.1.

⁵⁴ Altman, Hart and Jacobs 2009 *Agrekon* 355–358.

⁵⁵ See para 2.3.5 of this thesis.

⁵⁶ Wittman 2011 *Environment and Society* 88; see full discussion on the relationship between food sovereignty and the right to food in para 2.3.5 of this thesis.

reach the surrounding communities.⁵⁷ Properly managed extension services can help small-scale farmers to use their limited resources efficiently, either for income generation through market-oriented production or as a means to produce food for home consumption.⁵⁸ Studies indicate that market-oriented agricultural production increases food security since households sell surplus produce to meet their food needs.⁵⁹ This calls for the government to ensure that extension services are fully utilised to assist subsistence farmers.

In light of what has been discussed so far, this study aims to contribute to the socio-economic rights jurisprudence of South Africa by addressing issues of food security in the context of South Africa's national, regional and international commitments and obligations. The study reveals the current realities with regard to the level of household food insecurity at a grassroots community level in rural South Africa, and contributes to human development by alerting the state to the importance of the right to have access to sufficient food to support human existence.

1.5 Limitations of the study and research methodology

The study has certain limitations. The study would have benefited from empirical research, but due to time constraints and the researcher's limited knowledge of quantitative research methods, such a methodology could not be employed. In addressing the research question and main objective this study comprises an analysis and assessment of relevant literature such as journal articles, case law, legislation, government reports, regional, international treaties and scholarly studies conducted over the years to determine the extent of poverty in rural communities, and the measures implemented in order to eradicate food insecurity.

The study has a socio-legal component in order to ascertain the prevailing realities resulting from food insecurity in rural households and the efficiency of

⁵⁷ Abdu-Raheem and Worth 2011 *SAJAE* 95.

⁵⁸ Hedden-Dunkhorst and Mollel 1999 *SAJAE* 105.

⁵⁹ See para 5.3 of this thesis.

government interventions in alleviating food insecurity. An interdisciplinary dimension is adopted by conducting a desktop analysis of existing data on the role of social grants and subsistence farming in enhancing food security in rural households. Recent data from Statistics South Africa and existing case studies from the years 2010 to 2018 are analysed to determine whether subsistence farming has a meaningful impact on realising the right to have access to sufficient food as entrenched in section 27(1)(b) of the *Constitution*.

A comparative analysis of other countries is conducted in order to understand the critical role of subsistence farming as a food security intervention and the importance of agricultural extension services in ensuring that rural households not only produce food for consumption but also sell food for extra income. Literature and scholarly studies conducted in Tanzania, Uganda and Nigeria are used in accordance with the accepted methods of legal comparison. These three countries were chosen because they have large populations involved in subsistence farming. Tanzania has extensive literature and a well-crafted legislative framework on agricultural transformation. This provides useful comparative material when considering the importance of extension services in promoting subsistence agriculture as both a sustainable food security intervention in increasing household food security and as a commercial commodity.

Uganda provides an interesting case study of using subsistence agriculture as a resource for increasing household income. The emphasis is to promote food security through marketing household produce rather than supplementing the food demands of households. In this way subsistence agriculture is used as a means of meeting other socio-economic needs.

Lastly, the Nigerian example shows how poorly designed and fragmented legislative frameworks can result in failed agricultural transformation, despite the existence of a vast subsistence farming community. This should serve as a red flag for South Africa and should encourage the government to ensure that legislative frameworks relating to food security interventions are efficiently

implemented. Ineffective legislative frameworks could result in rural households not being able to access sufficient food.

This comparative analysis is vital because generally research serves three purposes namely, to contribute to existing knowledge, to inform policy and to address a specific problem or issue.⁶⁰ Accordingly, Van Hoecke⁶¹ observes that comparative legal research is important because;

- "it is an instrument of learning and knowledge;
- it is an instrument of evolutionary and taxonomic science,
- it assists in contributing to one's own legal system (understanding it better, including the resistance of its traditions, improving it, using it as a means for interpreting the constitution) and
- harmonisation of law".

This study adopts the third element as advanced by Van Hoecke and the comparative analysis with the three selected countries is aimed at improving the implementation of legislative frameworks aimed at agricultural transformation in South Africa specifically the adoption of efficient agricultural extension systems. Although, the agricultural dynamics may differ between the three selected countries in terms of climate, soil composition and availability of agricultural land, most agricultural production is rain-fed.⁶² However, the studies indicate that the driver of subsistence farming in these countries except in Nigeria is an efficient agricultural extension system.⁶³ This is the basis for adopting a comparative study to draw valuable lessons on how the South African government can

⁶⁰ Zubair 2014 *Australian Journal of Basic and Applied Sciences* 251-254.

⁶¹ Van Hoecke 2015 *Law and Method* 8.

⁶² See, Amani 2006 *Working Paper* 27; Sridharan V et al 2019 *Water* 1-13; Oyinbo, Rekwot, and Duniya Rainfall pattern and Agricultural production in Nigeria: Implication for food security 82-83; Emaziye 2015 *Journal of Biology, Agriculture and Healthcare* 63-66,

⁶³ See paras 6.2.3.1, 6.2.3.2 and 6.3.3.1-6.3.3.3 of this thesis.

improve subsistence agriculture as a food security strategy using innovative extension systems.⁶⁴

1.6 Overview and outline of the chapters

The right to have access to sufficient food is recognised and protected at the international, regional and national levels because of its importance in advancing human development. This right is at the core of food security strategies because food poverty and food insecurity have a direct impact on realising the right to have access to food, especially for rural households who lack access to the basic infrastructure and amenities that will enable them to access food by either purchase or production. For this reason, in terms of section 27(1)(c) and section 27(2) of the *Constitution*, the government has a mandate to enact food security interventions that aim not only to realise the right to have access to food but also to empower households to be food self-sufficient.

Chapter 2 discusses the right to food as it prevails in international law and at regional level, with specific reference to Africa. The chapter looks specifically at concepts of the right to food and food security within a human rights context. The concept of the right to food is discussed against the backdrop of food security interventions as adopted by the international community. In examining such food security interventions (such as social grants and subsistence farming), the chapter shows how international law has influenced the promulgation of food-specific legislative frameworks in South Africa.

Chapter 3 describes the causes of poverty in South Africa. The discussion also concentrates on the causes of poverty in rural communities as compared to other settlements, such as urban and peri-urban areas. The chapter examines the importance of socio-economic rights in alleviating poverty and the importance of including the right to have access to sufficient food in the *Constitution*. The *Mazibuko*⁶⁵ and *Grootboom*⁶⁶ cases are discussed as examples of how

⁶⁴ See Chapter 6 of this thesis.

⁶⁵ *Mazibuko v City of Johannesburg* 2010 4 SA 1 (CC).

⁶⁶ *Government of the Republic of South Africa v Grootboom* 2001 1 SA 46 (CC).

government interventions aimed at realising socio-economic rights should be framed to meet both immediate and long-term needs. The two cases laid down important principles about what constitutes the proper realisation of socio-economic rights and what interventions can be regarded as sufficient in giving effect to such rights. The chapter also examines the right to have access to sufficient food in South Africa in light of existing legislative frameworks, such as the RDP, the ISRDS, the CRDP, the White Paper for Social Welfare, the Social Assistance Act, the Zero Hunger programme and the Integrated Food Security Strategy for South Africa.⁶⁷ The chapter discusses the purposes of these legislative frameworks in providing a platform for the implementation of social assistance grants and subsistence farming as food security interventions that aim to eradicate food insecurity. Special attention is paid to the relevance of these legislative frameworks in promoting food security in rural households.

Chapter 4 examines the measures the state has taken towards improving food security. Firstly, the chapter examines social assistance in the form of social grants as a measure adopted to reduce poverty in South Africa. The benefits and advantages as well as the shortcomings of social grants are discussed. Reference is made to the US social welfare system in order to understand the notion of transformative social protection in as a food security strategy. Secondly, this chapter examines subsistence farming as a medium- and long-term measure in promoting food security in South Africa and discusses the benefits and shortcomings of subsistence farming.

Chapter 5 consists of a desktop analysis of existing data on the role of subsistence farming in enhancing food security in rural households. Recent data from Statistics South Africa and existing case studies from 2010 to 2016 is used. The chapter aims to show what subsistence farming as a food security intervention has achieved at household level in rural communities. The question to be answered is whether subsistence farming as a food security intervention has a viable impact on promoting the right to have access to sufficient food as

⁶⁷ See paras 2.5, 3.5.1-3.5.4 and 5.2.3.1-5.2.3.3 of this thesis for a full discussion of legislative frameworks that promote the realisation of the right of access to food in South Africa.

entrenched in section 27(1)(b) of the *Constitution*. Firstly, the chapter discusses specific international instruments or conventions, regional instruments and national laws that promote the viability of subsistence farming as a food security strategy. Secondly, the chapter analyses and discusses case studies conducted on the viability of subsistence farming as a food security intervention, in the light of relevant literature, legislation and policies. Finally, the chapter draws conclusions on whether subsistence farming as a food security strategy is viable in improving food security, based on the analysis of international and regional instruments, prevailing literature and case studies.

Chapter 6 consists of a comparative analysis that aims to shed light on the importance of effective agricultural extensions in supporting subsistence farmers. The chapter discusses literature and scholarly studies conducted in Tanzania, Uganda and Nigeria. Tanzania and Uganda provide good legislative frameworks for the implementation of agricultural transformation with the aim of promoting food sovereignty and food self-reliance at household level.

Chapter 7 sets out the conclusion and recommendations. This chapter reiterates the objectives of the study and determines whether the research question has been answered.

As indicated above, this study aims to raise awareness about the proper implementation of both social assistance grants and subsistence farming as food security interventions. This will enable the government to fulfil its constitutional mandate set out in section 27(2) of the *Constitution* and in various regional and international law instruments in realising the right to have access to food. The study presupposes that the right to have access to sufficient food can be achieved at household level only when it is viewed beyond the scope of legislative frameworks, as an entitlement that promotes human survival, human development and well-being.

Chapter 2: The international and regional legal framework on the right to food

2 The international and regional legal framework on the right to food

2.1 Introduction

The right to food is important and relevant because it forms the core of human development, since human survival is dependent on the proper realisation of this right. According to the Human Development Report of 2000, human poverty is a major obstacle to attaining a decent standard of living and realising human rights.⁶⁸ This means that human rights, including the right to food, place an obligation on states to enact policies that advance both civil and socio-economic rights. Such policies should efficiently address the social well-being of individuals. According to the United Nations Principles and Guidelines for a Human Rights Approach to Food Security Interventions of 2006 ("UN Principles and Guidelines on Poverty Interventions") the right to food plays a vital role in ensuring that states adopt measures aimed at reducing poverty and also adopt food security interventions, which should be human rights-centred.⁶⁹ States should adopt a human rights approach to improving food security with the aim of ensuring that human rights are protected and respected. A human rights approach is important because it gives effect to the notion of human rights as entrenched in national, regional and international legislative frameworks.⁷⁰ Such an approach also complements the concept of human development, which is vital in promoting human capabilities.⁷¹

A human rights approach to poverty reduction "refers to methodologies and processes that adhere to a set of core principles and standards derived from the

⁶⁸ Human Development Report (2000) 33.

⁶⁹ Paras 15-18 of the UN Principles and Guidelines on Poverty Interventions.

⁷⁰ See paras 2.3.2-2.3.4 of this thesis.

⁷¹ Sen "Capability and Well-Being" 270-271 (Sen states that the capability approach to a person's advantage is concerned with evaluating it in terms of his or her actual ability to achieve various valuable functionings as a part of living); see also paras 1.1, 1.4. 2.3.3 of this thesis on the role of human development in promoting the realisation of the right of access to food.

international human rights legal framework".⁷² Thus, state policies on poverty alleviation should not only address intervention but also empowerment. According to the UN Principles and Guidelines on Poverty Interventions, one reason why the human rights framework is compelling in the context of poverty is that it has the potential to empower the poor.⁷³ As a result, state parties have adopted the human rights framework that gives effect to the right to food within the broader context of human rights. The inclusion of the right to food within the broader framework of human rights has also led states to adopt food-specific frameworks in order to give effect to this right.

In South Africa, the right to food as contained in international law is entrenched in section 27(1)(b) of the *Constitution* and a plethora of legislative frameworks, such as the Integrated Food Security Strategy ("IFSS"), the ISRDS, the White Paper on Social Welfare and the *Social Assistance Act*. To keep pace with the international community the government has signed and ratified several international human rights instruments giving effect to the right to food. These instruments include the International Covenant on Economic Social and Cultural Rights ("ICESCR"), the International Covenant on Civil and Political Rights ("ICCPR"), the Universal Declaration of Human Rights ("UDHR"), the Convention on the Rights of the Child ("CRC"), the Rome Declaration on World Food Security ("Rome Declaration, 1996"), Rome Declaration of the World Summit on Food Security of 2009 ("Rome Declaration, 2009"), and the Millennium Declaration. In the regional context, South Africa is a party to the African Charter and related Charters, the Declaration and Treaty of Southern African Development Community of 1992, the Charter of Fundamental Social Rights in Southern African Development Community of 2003 and the Code on Social Security in the Southern African Development Community of 2008.

⁷² O'Connor, Cantillon and Walsh 2008 *Working Paper Series* 6; see paras 2.3.2 and 5.2.1 of the thesis on the various principles that a human rights approach to the progressive realisation of the right to food should adopt.

⁷³ UN Principles and Guidelines on Poverty Interventions para 18.

However, the most glaring difference between the right to food as envisaged in international law and the right to have access to sufficient food as entrenched in the Constitution is that at international law this right presents a direct immediate entitlement without or with little regard to the state available resources.⁷⁴ In South Africa, the extent to which the government is obligated to realise the right to have access to sufficient food is summarised in the case of *Government of the Republic of South Africa v Grootboom* ("Grootboom case") the Constitutional Court held that

"Subsection (2) speaks to the positive obligation imposed upon the state. It requires the state to devise a comprehensive and workable plan to meet its obligations in terms of the subsection. However, subsection (2) also makes it clear that the obligation imposed upon the state is not an absolute or unqualified one. The extent of the state's obligation is defined by three key elements that are considered separately: (a) the obligation to "take reasonable legislative and other measures"; (b) "to achieve the progressive realisation" of the right; and (c) "within available resources".⁷⁵

However, the applicability of international law in South Africa is emphasised by the fact that section 39(1)(b) of the *Constitution* provides that, when interpreting the Bill of Rights, a court, tribunal or forum must consider international law. Moreover, section 231(4) of the *Constitution* provides that any international agreement becomes law in the Republic when it is enacted by national legislation, but a self-executing provision of an agreement that has been approved by Parliament is law in the Republic unless it is inconsistent with the *Constitution* or an Act of Parliament. Section 231(5) of the *Constitution* provides that the Republic is bound by international agreements that were binding on the Republic when the *Constitution* took effect. Section 233 of the *Constitution* provides that, when interpreting any legislation, every court must prefer any reasonable interpretation of the legislation that is consistent with international law to any alternative interpretation that is inconsistent with international law. The above-mentioned constitutional provisions indicate the influence of international law in South African municipal law and the importance of adopting

⁷⁴ See Art 11 of the ICESCR; see also Art 2 of the General Comment 3 of the Committee on Economic, Social and Cultural Rights (CESCR General Comment No. 3: The Nature of States Parties' Obligations (Art. 2, Para. 1, of the Covenant).

⁷⁵ *Grootboom* para 38

a human rights-based approach in realising socio-economic rights. They also indicate that human rights-based approaches cannot be overlooked when discussing human rights, as such an approach accords with the constitutional principles of democracy and rule of law as entrenched in section 1 of the *Constitution*.

Therefore, this chapter examines the right to food as it prevails in international law and at the regional level, with specific reference to Africa. The chapter looks specifically at the concepts of the right to food and food security. The concept of the right to food is discussed against the backdrop of food security interventions as adopted by the international community. In examining such food security interventions, the chapter focuses on the influence of international law in promulgating food-specific legislative frameworks in South Africa. Considering international law is important because social protection (social grants) and agriculture (including subsistence farming) are important mechanisms in realising the right to have access to food. Article 22 of the UDHR provides that everyone has a right to social security and is entitled to its realisation, through both national efforts and international cooperation and in accordance with the resources of each state, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality. Article 11(2) of the ICESCR encourages state parties to adopt programmes, including developing or reforming agrarian systems, in such a way as to achieve the most efficient development and use of natural resources to ensure that everyone is free from hunger. This means that state parties should adopt food security programmes that will meet immediate and future food needs.

2.2 The concept of the right to food and food security in international law

Although the right to food is an independent right, it should be given a holistic approach that considers the right to food within the wide framework of other

socio-economic rights.⁷⁶ This is because realising the right to food is affected by factors such as economic, political and cultural contexts, access to land, employment opportunities, technological advancement, poverty and educational opportunities and available infrastructure.⁷⁷ Realising the right to food therefore requires an interdependence of rights to ensure the effective implementation of food security interventions.

Government policies that aim to reduce food insecurity should therefore address social justice that promotes sustainability. Sustainability requires an integration of economic, environmental and social viability in food security interventions. Paragraph 13 of the Rome Declaration, 1996 provides that a sustainable approach to poverty alleviation will ensure that states develop a peaceful, stable and enabling political, social and economic environment that is essential in enabling states to give adequate priority to food security, poverty eradication and sustainable agriculture, fisheries, forestry and rural development. Furthermore, such an approach forces states to promote good governance as an essential factor for sustained economic growth, sustainable development, poverty and hunger eradication and for the realisation of all human rights, including the progressive realisation of the right to adequate food.⁷⁸ As a result, the right to food receives proper recognition within the ambit of human rights.

According to General Comment 12 of the Committee on Economic, Social and Cultural Rights ("General Comment 12")⁷⁹ "the right to adequate food is realised when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or to the means for its procurement". According to the Office of the United Nations High Commissioner for Human Rights ("OHCHR")

"the right to food can also be described as the right to have regular, permanent and free access, either directly or by means of financial purchases, to quantitatively

⁷⁶ De Schutter 2012 *Gender Network e-News* 1–4.

⁷⁷ Chirwa Child Poverty and Children's Rights of Access to Food and Basic Nutrition in South Africa 6.

⁷⁸ FAO Voluntary Guidelines para 1.3.

⁷⁹ General Comment 12 para 6.

and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and that ensures a physical and mental, individual and collective, fulfilling and dignified life free of fear".⁸⁰

The above definitions therefore indicate that the right to food is realised when food is available, accessible and sufficient to meet the day-to-day needs and dietary requirements of individuals and households. According to the General Comment 12 "the right to food has three essential elements, namely availability, accessibility and adequacy". These elements are discussed separately below. A food security strategy must meet these requirements because South Africa ratified the ICESCR on 12 January 2015. This study seeks to identify a food security strategy that ensures that these elements are met. Such a food strategy should consist of measures that meet immediate food needs (i.e. social grants) and future food needs that enable food self-sufficiency in households (i.e. subsistence farming).

2.2.1 Availability

According to the General Comment 12, availability refers "to the availability of food in a quantity and of a quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture".⁸¹ Food should be available from natural resources, either through the cultivation of land or animal husbandry,⁸² and should be available for sale in markets and shops. To achieve food availability, article 11 of the ICESCR provides that

" 1. The States Parties to the present Covenant 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 States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

⁸⁰ UN Fact Sheet 2.

⁸¹ General Comment 12 para 8.

⁸² UN Fact Sheet 2.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:

(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;

(b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need".⁸³

Therefore, for food to be available, food production should be increased, especially through agrarian activities.

2.2.2 Accessibility

According to the General Comment 12 accessibility means that food should be accessible both physically and economically. Physical accessibility means that people should be able to purchase food. States should also remove any barriers preventing individuals and households from accessing food, either by purchasing it or through agricultural production.⁸⁴

According to the General Comment 12 economic accessibility means that food should be affordable.⁸⁵ Food should be accessible to everyone, including the most vulnerable members of society, such as children, women and the rural poor. States should take measures to ensure that special programmes are in place to cater for the food needs of such individuals.⁸⁶ A good example of such a special programme is the South African Zero Hunger Programme⁸⁷, which gives the poor and vulnerable members of society access to food. This includes

⁸³ ICESCR Art 11(2)(a) and (b).

⁸⁴ General Comment 12 para 13.

⁸⁵ See General Comment 12 para 13; see also De Schutter 2012 *Briefing Note (5)* 5.

⁸⁶ General Comment 13 para 13.

⁸⁷ The Framework for the Zero Hunger Programme: Actuating the integrated food security strategy for South Africa, 2012; see para 3.5.3 for a full discussion of the Zero Hunger Programme.

improving the food production capacity of households and giving poor farmers access to natural resources (such as land).⁸⁸

2.2.3 Adequacy

Adequacy means that the food that is available and accessible should contain sufficient nutrients for a healthy diet. According to paragraph 9 of the General Comment 12, the diet as a whole must contain a mix of nutrients for physical and mental growth, development and maintenance, and for physical activity that complies with human physiological needs at all stages throughout the life cycle and according to gender and occupation. The food should be free from any adverse substances and be culturally acceptable,⁸⁹ which means that individuals and households should have access to food. Culturally appropriate food is food that is not offensive to one's beliefs, culture. For example, in South Africa, mielie meal is culturally acceptable since most South Africans consume it. According to General comment 12 adequacy also entails the following:⁹⁰

- "Utilisation: this refers to using food through adequate diet, clean water, sanitation, and health care to reach a state of nutritional well-being where all physiological needs are met".

This highlights the importance of non-food inputs in food security. The other basic amenities of life should be provided to ensure that the right to food is realised in clean and humane conditions.

- "Stability: to be food secure, a population, household, or individual must have access to adequate food at all times. They should not risk losing access to food as a result of sudden shocks (eg an economic or climatic crisis) or cyclical events (eg seasonal food insecurity). The concept of stability can therefore refer to both availability and access dimensions of food security".

⁸⁸ Zero Hunger Programme paras 4.1 and 6.

⁸⁹ General Comment 12 paras 10- 11.

⁹⁰ General Comment 12 paras 7, 11 and 15.

In this instance, the right to food requires the government to guard against other supervening factors that can curtail the realisation of the right.

2.2.4 Other considerations in relation to the right to food

A cursory glance at the elements that form the right to food and the elements that form the concept of food security reveals that food security exists when food is available. While food security refers to the availability of nutritious food at all times, food insecurity means a lack of access to nutritious food.⁹¹ Food insecurity is often a result of poverty.⁹² Poverty deny households access to food because they do not have the money to purchase food that is available in the markets. Poverty perpetuates food insecurity as its various manifestations include lack of income and productive resources that are sufficient to ensure sustainable livelihoods.⁹³ The United Nations Principles and Guidelines on Poverty Interventions provide that poverty is the denial of a person's rights to a range of basic capabilities, such as the capability to be adequately nourished and to live in good health. In this context, the right to food plays an important role in relation to poverty alleviation and food security interventions have a direct impact on food specific policies. Such interventions will also take account of the fact that people living in poverty not only have needs but also have rights, with the right to food being one such right.⁹⁴

2.2.5 Conclusion

The right to food is efficiently realised when the elements outlined in paragraphs 2.2.1-2.2.3 exist. According to the definition coined at the 1996 World Food Summit in Rome,⁹⁵ food security

⁹¹ FAO 2004 The State of Food Insecurity in the World 1–40.

⁹² UN Fact Sheet 4.

⁹³ Copenhagen Programme of Action (1995) para 19. Poverty is a condition characterised by the severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education and information.

⁹⁴ UN Principles and Guidelines on Poverty Interventions para 19.

⁹⁵ Rome Declaration para 1.

"exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life".

At household level, food security is generally perceived of as "access by all household members to sufficient and nutritious food that is safe to eat as a prerequisite for sufficient dietary intake and meeting of food preferences for an active and healthy life".⁹⁶

The above definitions of food security represent an important link between the right to food and the concept of food security because, when individuals, households and communities are food secure, the right to food is protected and respected.

2.3 The right to food in international law: A global perspective

2.3.1 Introduction

As already indicated above in paragraph 2.1, the right to food is a self-standing right. Article 11(1) of the ICESCR provides that the state parties to the Covenant recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food. Likewise, article 25 of the UDHR provides that everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food.

The above provisions signify the importance of the right to food as a human right. The entrenchment of the right to food in human rights instruments entails both the guaranteed protection of and respect for the entitlements that individuals have in respect of this right. The legal and normative framework for the right to food is an important tool in improving the effectiveness of policies aimed at combating hunger and malnutrition.⁹⁷ Therefore, the international legal framework on the right to food is important as it serves as a guide in implementing the right to food at municipal level.

⁹⁶ Oldewage-Theron, Duvenage and Egal 2012 *Journal of Family Ecology and Consumer Sciences* 40.

⁹⁷ De Schutter 2012 *Briefing Note (6)*.

2.3.2 *The Copenhagen Declaration on Social Development of 1995*

The World Summit for Social Development held in Copenhagen sought to enable governments to develop commitments and goals to improve the livelihood of people through development. The central aim was to link social development and human well-being to enable governments to reach consensus on commitments that would ensure the eradication of social problems, including poverty and unemployment. The Summit produced the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development. At the Summit governments recognised that human rights are indivisible, interrelated and mutually reinforcing.⁹⁸

This interconnectedness of rights is recognised in paragraph 6 of the Copenhagen Declaration, which provides "that state parties take cognisance of the fact that economic development, social development and environmental protection are interdependent and mutually reinforcing components of sustainable development".⁹⁹ This means that all rights should be given the same priority and should not be ranked. Therefore, knowledge of the relationship between the right to food and other human rights is vital in understanding how the right to food fits into the broader framework of social development. Since the right to food is a human right, it suffices to conclude that the right to food should be realised within the broader framework of human rights as articulated in paragraph 2.1 above.

In adopting such a holistic approach, the right to food is realised within the rights-based approach in the context of the right to development. In the Declaration on the Right to Development of 1986 ("DRD"), development is defined as an inalienable human right because every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, so that all human rights and fundamental

⁹⁸ See Sano 2000 *Human Rights Quarterly* 734–752 for a detailed discussion of the right to development and the indivisibility of human rights.

⁹⁹ Copenhagen Declaration para 6.

freedoms can be fully realised.¹⁰⁰ In light of the above definition, the right to development plays a central role in realising the right to food, because all civil, political, economic, social and cultural rights are indivisible and interdependent and, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of such rights.¹⁰¹ In order for the right to food to be effectively realised, factors that negatively impact on its realisation should be addressed. In this instance, one factor that prevents households from escaping the poverty trap is socio-economic deprivation. Socio-economic deprivation is defined as the lack of the social and economic benefits that are regarded as the basic needs of a society or community or region.¹⁰²

Social development is central to the needs and aspirations of the people of the world and to the responsibilities of governments and all sectors of civil societies.¹⁰³ Social problems, such as poverty, that often culminate in food insecurity can be efficiently addressed only through the effective implementation of comprehensive social development programmes. State parties to human rights treaties have a duty not only to ensure that human rights are not violated but also to contribute to political and socio-economic conditions that are favourable to respect for, and the protection and fulfilment of, human rights at the national and international levels.¹⁰⁴

Paragraph 23 of the Copenhagen Programme of Action provides

"that the eradication of poverty cannot be accomplished through anti-poverty programmes alone but will require democratic participation and changes in economic structures in order to ensure access for all to resources, opportunities and public services, including the undertaking of policies geared to the more equitable distribution of wealth and income, to the

¹⁰⁰ DRD art 1.

¹⁰¹ Preamble to the DRD para 9.

¹⁰² Sarkar, Banerji and Sen 2014 *Athens Journal of Health* 272–273. See also paras 3.2, 3.3, 3.3.1-3.3.2 of this thesis.

¹⁰³ Copenhagen Declaration para 7.

¹⁰⁴ Hamm 2001 *Human Rights Quarterly* 1014.

provision of social protection for those who cannot support themselves, and to assisting people affected by natural disasters".

Thus, food security interventions need to complement development programmes in order to be effective, by catering for both the short-term and long-term alleviation of poverty. Paragraph 24 of the Copenhagen Programme of Action emphasises the integration of food security interventions and social development programmes and provides that the eradication of poverty requires universal access to economic opportunities that promotes sustainable livelihoods and basic social services. Food security strategies such as the provision of social grants and subsistence farming should be part and parcel of the wider socio-economic programmes that aim to reduce hunger and promote household food security.

Paragraphs 23 and 24 of the Copenhagen Programme of Action discussed above make it clear that the development agenda can be effective only within an environment that supports good governance by empowering those that are affected by food insecurity and a lack of social services. The importance of a development agenda that allows for participation by the broader society is that a rights-based approach to poverty eradication allows for individuals to recognise and claim their rights and for governments to honour their obligations.¹⁰⁵

Furthermore, the concept of good governance is central to the Copenhagen Programme of Action.¹⁰⁶ Therefore, in order for socio-economic programmes to be a success, an environment that is conducive to their implementation should be created. The UN Principles and Guidelines on Poverty Interventions provide guidance on how state parties can achieve this with specific reference to food security. Paragraph 19 of the UN Principles and Guidelines provides that the most fundamental way in which empowerment occur by introducing the concept of rights itself. Once this concept is introduced into the context of policymaking, the rationale of poverty alleviation no longer derives merely from the fact that the people living in poverty have needs, but also from the fact that they have rights

¹⁰⁵ Cornwall and Nyamu-Musembi 2004 *Third World Quarterly* 1424–1430.

¹⁰⁶ Copenhagen Declaration para 4.

that give rise to legal obligations on the part of others. The above principle plays an important role in promoting good governance, which in turn is vital in realising the right to food, because good governance promotes the promulgation of legislative frameworks that are integral to realising the right to have access to food. For instance, sections 3.5.1 to 3.5.4 below offer a discussion of the important food-specific legislative frameworks that the government has enacted to empower communities and households to achieve the right to have access to food. The importance of good governance in realising the right to have access to food is also shown in paragraph 19 of the FAO Voluntary Guidelines, which provide "that at the national level, a human rights-based approach to food security includes universal, interdependent, indivisible and interrelated human rights".¹⁰⁷ Paragraph 19 emphasises the achievement of food security as an outcome of the realisation of existing rights and includes certain key principles; "the need to enable individuals to realise the right to take part in the conduct of public affairs, the right to freedom of expression and the right to seek, receive and impart information, including in relation to decision-making about policies on realising the right to adequate food".¹⁰⁸

From the above discussion it is clear that the right to food framework cannot be viewed in isolation, without implementing effective food security interventions and social development interventions.¹⁰⁹ Food security interventions should therefore fall within the ambit of the overall development strategy of a state. In order to cater for the socio-economic needs of all individuals, anti-poverty interventions such as social grants and subsistence farming should be part of socio-economic development programmes.¹¹⁰ Finally, socio-economic

¹⁰⁷ Paragraph 19 of the FAO *Voluntary Guidelines*.

¹⁰⁸ Paragraph 19 of the FAO *Voluntary Guidelines*.

¹⁰⁹ Guideline 3.1 of the FAO *Voluntary Guidelines* provides that states, as appropriate and in consultation with relevant stakeholders and pursuant to their national laws, should consider adopting a national human-rights based strategy for the progressive realisation of the right to

adequate food in the context of national food security as part of an overarching national development strategy, including food security interventions, where they exist.

¹¹⁰ Paragraph 27 of the Copenhagen Declaration provides that governments are urged to integrate goals and targets for combating poverty into overall economic and social policies and planning at the local, national and, where appropriate, regional levels.

development can thrive only where governments respect, protect and fulfil human rights, because social problems such as poverty, unemployment, ill-health and inadequate sanitation facilities have a direct impact on the realisation of human rights, including the right to food.¹¹¹

2.3.3 The Millennium Declaration of 2000 and 2030 Agenda on Sustainable Development of 2015 (2030 Agenda)

The Millennium Summit of the United Nations was held from 6 to 8 September 2000 in New York. The purpose of the summit was for governments to develop commitments and target goals for the betterment of peoples' lives. The central aim was to set tangible targets (known as the Millennium Development Goals) on eradicating social problems that affect the world's poorest and most vulnerable citizens, such as poverty, education, and health and gender equality, among others. Although the commitments in terms of the Millennium Declaration ended by 2015, they played a vital role in ensuring that the gap was bridged between those who have access to food and those that are poverty-stricken and lack access to food, thereby ensuring that the inequality caused by poverty was eradicated.¹¹² The Millennium Declaration also recognised that income poverty is a direct indicator of human poverty.¹¹³ According to Ludi and Bird, who borrow the World Bank definition of income poverty, "a person is considered poor if his or her consumption or income level falls below some minimum level necessary to meet his or her basic needs".¹¹⁴

This definition of poverty complements paragraph 19 of the Copenhagen Programme of Action, which provides that absolute poverty is a condition characterised by the severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education and

¹¹¹ See Ghai 2011 *UNRISD Programme on Democracy, Governance and Human Rights Programme Paper* 1–47 for a further discussion on the relationship between human rights and social development.

¹¹² Pronk "Globalization, Poverty and Security" 71–75.

¹¹³ Pronk "Globalization, Poverty and Security" 84–86; see Hulme, Moore and Shepherd 2001 *CPRC Working Paper* 1–41.

¹¹⁴ Ludi and Bird 2007 *Brief Note* 2.

information. In order to tackle poverty, paragraph 11 of the Millennium Declaration provides that state parties should ensure that those living in extreme poverty, especially women and children, are freed from such conditions. In order to achieve the above commitment, the second Millennium Development Goal ("MDG") is aimed at eradicating extreme poverty and hunger.¹¹⁵ Taking into account the commitments made in terms of the Millennium Declaration, states bear the responsibility of ensuring that the MDGs are achieved within the broader framework of human rights. Therefore, in achieving the second MDG, states must not only ensure that the right to food is protected and respected, but must also meet all other MDGs,¹¹⁶ because poverty violates sustainable development that is central to human development and survival.

The MDGs complement human rights by reflecting a human rights agenda (that also addresses the right to food) that strives for social and economic development.¹¹⁷ As a result, food security plays a vital role in reducing socio-economic want. The importance of food security in curbing poverty and ensuring the full realisation of the right to food involves:

"practices and measures related to the assurance of a regular supply, and adequate stocks of foodstuffs of guaranteed quality and nutritional value".¹¹⁸

In 2015, the United Nations adopted the 2030 Agenda for Sustainable Development ("2030 Agenda") as a post-2015 development agenda that creates new commitments after the Millennium Declaration. An objective of the 2030 Agenda is to ensure that by 2030 the world population has access to food that is sufficient, safe, affordable and nutritious.¹¹⁹ To actualise this objective, the 2030 Agenda sets out 17 goals, known as the Sustainable Development Goals, 2030 ("SDGs"). Goal 2 of the SDGs aims at ending hunger, achieving food security and improving nutrition, and promoting sustainable agriculture.

¹¹⁵ See Pogge 2004 *Journal of Human Development* 377–397 for a detailed discussion of the first MDG.

¹¹⁶ Cavalcanti "Food Security" 152–165.

¹¹⁷ Alston 2005 *Human Rights Quarterly* 759–762.

¹¹⁸ Cavalcanti "Food Security" 154.

¹¹⁹ 2030 Agenda para 7.

States should therefore take a holistic approach in curbing food insecurity by ensuring that food security interventions address social, political, economic and ecological issues. Such an approach recognises that development is not about charity and welfare but is also an issue of rights and entitlements, based on a recognition of the structural and underlying causes of poverty.¹²⁰ In order to realise the right to food and to ensure food security it is important to consider a holistic approach that views human rights as interdependent and mutually reinforcing. A rights-based approach that was reflected in the MDGs means that the realisation of these goals requires states to fulfil their duty in realising the right to food and at the same time empowers individuals to assert their claims against governments for the non-realisation of this right.¹²¹ The MDGs created an expectation that rights, specifically the right to have access to food, should be protected, respected, promoted and fulfilled by state parties. Similarly, paragraphs 17 and 24 of the 2030 Agenda provide that ending hunger and achieving food security is of paramount importance, and state parties are required to commit resources to developing subsistence agriculture and providing support to smallholder farmers. These provisions reflect the vital role of the rights-based approach in addressing food insecurity as it allows individuals to take legal steps to compel governments to take reasonable measures to progressively realise socio-economic rights.¹²²

A rights-based approach calls for coordinated food security interventions and policies that reflect a detailed resources plan and institutional initiatives that include the adoption of food-specific legislation. Paragraph 9 of the 2030 Agenda provides that in order to succeed in achieving the SDGs, good governance and an enabling environment is essential for sustainable development, including sustained and inclusive economic growth, social development, environmental protection and the eradication of poverty and hunger.¹²³ Thus, good governance is vital for ensuring the proper implementation and enforcement of food security

¹²⁰ Shetty 2005 *IDS Bulletin* 74.

¹²¹ Cohen and Brown 2005 *Sustainable Development: Law and Policy* 54.

¹²² Cohen and Brown 2005 *Sustainable Development: Law and Policy* 56.

¹²³ See also paras 13 and 24 of the Millennium Declaration.

interventions.¹²⁴ Good governance forms a fundamental basis for implementing food security interventions as it sets a viable platform for institutionalising socio-economic policies. Good governance presents a stable environment for the promotion of and respect for human rights, including the right to food.¹²⁵

2.3.4 The Rome Declaration of 1996 and the Rome Declaration of 2009

The purpose of the World Food Summit of 1996, held in Rome, was for governments to make commitments on how to eradicate the increasing poverty conditions that perpetuated food insecurity at the national, regional and international levels. The summit led to the formal adoption of the definition of food security. The main aim of the summit was to develop an action plan to achieve sustainable global food security. The summit produced the Rome Declaration on World Food Security of 1996 ("Rome Declaration, 1996") and the World Food Security Plan of Action of 1996 ("Rome Plan of Action, 1996") that contained seven commitments that places an obligation on governments and state parties to formulate national laws, policies and interventions that prioritise the achievement of food security.

In 2009, another World Food Summit was held in Rome. The purpose of the Summit was to reaffirm the commitments made at the 1996 Summit and to prioritise the targets set at the Millennium Summit in 2000.

2.3.5 The concept of food sovereignty and the right to have access to food

The discussion above reveals that food security interventions should be diverse in order to cater for individual and household food needs. One pathway for addressing food insecurity is agrarian transformation.¹²⁶ The concept of food sovereignty is central to agrarian transformation: Food sovereignty refers to the right of communities, peoples and states to independently determine their own

¹²⁴ Stamoulis and Zezza 2003 *ESA Working Paper* 1–53.

¹²⁵ Cornwall and Nyamu-Musembi 2004 *Third World Quarterly* 1014–1018; see also UNDP Practice Note (2003) 1–15.

¹²⁶ Rome Declaration, 2009 principle 3.

food and agricultural policies.¹²⁷ The Via Campesina at the 1996 World Food Security Summit reflected the importance of food sovereignty in realising the right to food in their statement, where it was submitted that the right to food could be realised only where food sovereignty is guaranteed.¹²⁸ Commitment 3 of the Rome Plan of Action, 1996 provides that state parties intend to pursue participatory and sustainable food, agriculture, fisheries, forestry and rural development that are essential to adequate and reliable food supplies at the household, national, regional and global levels, and to combat pests, drought and desertification, considering the multifunctional character of agriculture.

Paragraph 23 of the Rome Plan of Action, 1996 provides "that it is imperative that food production be increased, particularly in low-income, food-deficit countries, to meet the needs of the undernourished and food insecure".¹²⁹ This paragraph brings to light two important aspects. Firstly, in the absence of sufficient food production, food security cannot be achieved. Secondly, individuals, households, communities and states cannot achieve the right to food without being food secure. It is thus, appropriate to conclude that food sovereignty plays a vital role in realising the right to food, because the key elements of food sovereignty

"include the promotion of the rights-based approach in realising the right to food, access to productive resources, agroecological production¹³⁰ as a way to produce sufficient food, and trade and local markets that produce sufficient food and that limit food imports and dumping".¹³¹

All these four elements overlap with the concept of food security and the right to food that have the following elements, namely food availability, food accessibility

¹²⁷ Beuchelt and Virchow 2012 *Agriculture and Human Values* 259–273.

¹²⁸ Statement by Via Campesina statement titled "The right to produce and access to land – Food Sovereignty: A Future without Hunger" (1996 World Food Security Summit).

¹²⁹ Rome Plan of Action, 1996 para 23.

¹³⁰ Agroecological production refers to a set of principles and practices to enhance the resilience and the ecological, socio-economic and cultural sustainability of farming systems.

¹³¹ Windfuhr and Jonsén Food Sovereignty: Towards Democracy in Localized Food Systems 13–15.

and nutritional adequacy and utilisation and food stability.¹³² Having regard to these elements it is evident that food sovereignty leads to food security, and food secure individuals and households are likely to enjoy the right to food as envisaged in international human rights instruments. Paragraph 2 of the Rome Declaration, 1996 provides "the vast majority of those who are undernourished, either cannot produce or cannot afford to buy enough food. They have inadequate access to means of production such as land, water, inputs, improved seeds and plants, appropriate technologies and farm credit".¹³³ A cursory glance at the above provision makes it clear that a state should enjoy food sovereignty in order to effectively realise the right to food.

According to Via Campesina, food sovereignty is a precondition to food security. To complement the preceding argument, paragraph 26 of the Rome Declaration, 2009 provides that

"governments take cognisance of the fact that increasing agricultural productivity is the main means to meet the increasing demand for food, given the constraints on expanding the land and water used for food production".¹³⁴

The above provision advocates for food sovereignty in that it places agriculture and related activities at the core of achieving food security. Food sovereignty can be effectively achieved only through increased food production and effective agricultural policy.¹³⁵

Food sovereignty aims to ensure the survival and well-being of smallholder food producers by allowing them to produce their own food and to define their own food and agricultural systems.¹³⁶ Individuals and communities should be empowered by the availability of land, water, seeds and other productive resources to produce their own food, because food sovereignty promotes the realisation of the right to food. To achieve food sovereignty and food security,

¹³² See the full discussion of the elements of food security and the right to food in para 2.2 above.

¹³³ Rome Declaration, 1996 para 2.

¹³⁴ Rome Declaration, 2009 para 26.

¹³⁵ Wittman 2011 *Environment and Society: Advances in Research* 90–93.

¹³⁶ Beuchelt and Virchow 2012 *Agriculture and Human Values* 261.

the right to food should be realised within the broader framework of human rights. Governments should therefore create an enabling environment conducive to the achievement of food security within the ambit of their short-term and long-term interventions.¹³⁷

The government should promulgate policies that empower people to claim their social and economic rights.¹³⁸ Paragraph 24 of the Copenhagen Programme of Action provides

"that people living in poverty and vulnerable groups must be empowered through organisation and participation in all aspects of political, economic and social life, in particular in the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development".¹³⁹

The above provision places a duty on states to take a holistic approach that encompasses food sovereignty and food security. Poverty eradication and the achievement of food security should thus be viewed as a social phenomenon.

2.4 The right to food in Africa: A regional perspective

2.4.1 Introduction

The foremost legal instrument that protects human rights in Africa is the African Charter on Human and Peoples' Rights of 1986 ("African Charter"). Although, the African Charter does not specifically provide for the right to food, article 22(1) of the African Charter provides that all peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind. Article 22(2) places a duty on state parties to ensure the exercise of the right to development. Taking into consideration the framing of article 22 of the African Charter, there is a threefold duty in respect of the right to development. There is an obligation to abstain from undertaking actions that could violate human

¹³⁷ Objective 7.5(b) of the Rome Plan of Action (1996); see also Principle 3 of the Rome Declaration (2009).

¹³⁸ Human Development Report (2000) 85–88.

¹³⁹ Copenhagen Programme of Action para 24.

rights, there is a duty to protect citizens against acts that could violate their human rights, and there is a duty to fulfil (*mostly economic, social and cultural rights*). Therefore, states must create a framework by way of legislation that enables the realisation of human rights.¹⁴⁰

Taking into account the duties imposed on governments by the right to development and the attributes of the right to development¹⁴¹, as discussed in paragraphs 2.3.1 and 2.3.2 above, the right to food, since it falls under socio-economic rights, is implicitly included in the African Charter. Moreover, according to the Millennium Declaration, the MDGs are developmental in nature, as their core aim is to alleviate poverty alleviation and promote social development.¹⁴² Since the first and second SDGs have the eradication of extreme poverty, hunger and food insecurity as their aims, these developmental goals advocate for the effective realisation of the right to food. Therefore, the right to development includes a realisation of the right to food as envisaged in article 22 of the African Charter.¹⁴³

Article 66 of the African Charter provides that special protocols or agreements may, if necessary, supplement the provisions of the Charter. Article 15 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa ("African Women's Protocol") provides that state parties shall ensure that women have the right to nutritious and adequate food. "State parties must take appropriate measures to provide women with access to clean drinking water, sources of domestic fuel, land, and the means of producing nutritious food and must establish adequate systems of supply and storage to ensure food security".¹⁴⁴ The above provisions clearly indicate that the African Charter protects the right to food.

¹⁴⁰ Kirchmeier 2006 *Occasional Papers* 12–13.

¹⁴¹ See footnotes 101 and 104 of this thesis.

¹⁴² See Goals 1 and 2 of the SDGs; see also Hulme 2007 *BWPI Working Paper* 1–27.

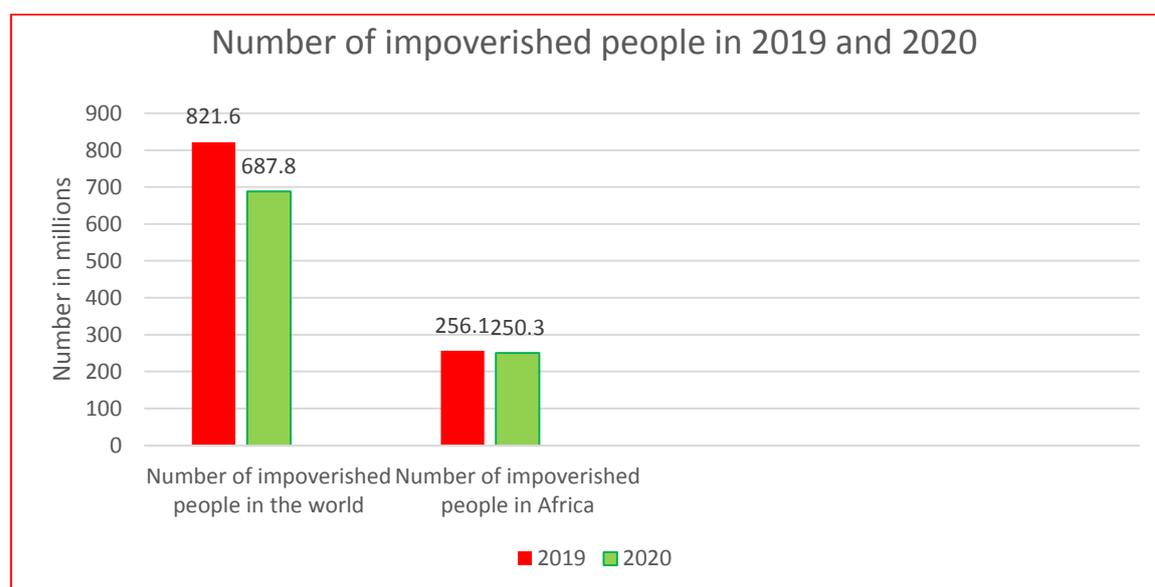
¹⁴³ See art 60 of the African Charter.

¹⁴⁴ Art 15(a) and (b) African Women's Protocol.

2.4.2 Achieving food security in Africa: The food security interventions

Having discussed the right to food at the international level, it is important to understand the right to food within the regional context to illustrate the relationship between the international and regional legal frameworks on the right to food. This knowledge will provide a clear picture on whether Africa is at the same level as the rest of the world in the fight against food insecurity. In order to have a thorough understanding on how food security can be achieved in Africa, it is important to understand the state of food insecurity and undernourishment in Africa. The basis for this is that South Africa is a signatory to regional treaties on the realisation of the right to food including those that are part of the Southern African Development Community. This entails that such regional instruments influence the national frameworks on the right to have access to food in South Africa. Further that any strategy by the government in promoting access to sufficient food should comply with its short, medium and long-term goals at regional level.

TABLE 1-1: Poverty levels in the world and Africa 2019 to 2020



Source: State of Food Insecurity in the World Report of 2019 and 2020

Table 1-1 clearly shows that, despite a significant drop in the levels of impoverished people in the world, people in Africa still suffer greatly from

poverty.¹⁴⁵ The state of food insecurity in Africa calls for coordinated efforts on the part of governments to promote food security. Hence, in an effort to ensure food security in Africa, the African Union has promulgated declarations that require state parties to progressively realise the right to food through interventions aimed at sustainable food security. These interventions are vital in order to ensure that individuals and households have access to sufficient food.

The root cause of food insecurity in developing countries is the inability of people to gain access to food due to poverty.¹⁴⁶ Therefore, any intervention or strategy that promotes food security should include capacity building and the empowerment of individuals.¹⁴⁷ This enables impoverished individuals to be active participants in food security interventions with the result that such individuals own the poverty alleviation process. Resolution 4 of the Maputo Declaration on Agriculture and Food Security in Africa of 2003 ("Maputo Declaration") provides that governments should engage in consultations at the national and regional levels with civil society organisations and other key stakeholders, including small-scale and traditional farmers, in order to promote active participation in agriculture for the purposes of food production. To complement the Maputo Declaration, paragraph 9 of the Abuja Declaration on Development of Agribusiness and Agro-Industries in Africa ("Abuja Declaration, 2010") provides that governments should involve the most vulnerable sections of society, the physically challenged and youths, to ensure that their participation in economic activities is embraced and supported in agricultural development interventions and investment programmes. Involving such categories of people is important because they are the most affected by food insecurity.

The above provision entails that food security interventions can be effective only when all stakeholders are involved in their implementation. Moreover, the Maputo Declaration and Abuja Declaration reveal the importance of agriculture and related activities in ensuring sustainable food security. Paragraph 3 of the

¹⁴⁵ Sasson 2012 *Agriculture and Food Security* 1–16.

¹⁴⁶ Mwaniki *Achieving Food Security in Africa: Challenges and Issues*.

¹⁴⁷ Mwaniki *Achieving Food Security in Africa: Challenges and Issues*; see also Mechlem 2004 *European Law Journal* 646.

Maputo Declaration recognises that agriculture is at the core of reducing food insecurity in Africa and provides that governments must implement measures that promote increased food and agricultural production to guarantee sustainable food security and ensure economic prosperity for its peoples.

African governments have since taken positive steps to ensure the sustainability of the agriculture that is practised by a majority of the rural poor in Africa.¹⁴⁸ The Comprehensive Africa Agriculture Development Programme of 2003 ("CAADP") is one such framework, which was created with the overall goal of assisting African countries to reach a higher path of economic growth through agriculture-led development, which eliminates hunger, reduces poverty and food insecurity, and enables the expansion of exports.

To achieve the aims of the CAADP, governments are urged to increase their agricultural output.¹⁴⁹ Commitment 1 of the Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods of 2014 ("Malabo Declaration") provides that state parties should pursue agriculture-led growth as a main strategy to achieve targets on food and nutrition security and shared prosperity through the CAADP process. To end hunger by 2025, "state parties must accelerate agricultural growth by doubling current agricultural productivity levels through appropriate policy and institutional conditions and support systems that are aimed at facilitating sustainable and reliable production and access to quality and affordable inputs (for crops, livestock, fisheries, amongst others) through, among other things, the provision of "smart" protection to smallholder agriculture".¹⁵⁰

In summary, it is incumbent upon African governments to develop effective agricultural policies aimed at a human rights approach in realising the right to food in the context of food security interventions that take the specific needs of Africa into account. Factors such as poor policies and governance should be

¹⁴⁸ CAADP 80.

¹⁴⁹ See Pillar 4 (Improving agriculture research, technology dissemination and adoption of CAADP) 17.

¹⁵⁰ Commitment 2 of the Malabo Declaration.

addressed by aligning national food security interventions with the existing food-specific framework at the regional level. Therefore, taking into account the discussion above and the argument advanced in paragraph 2.4, it can be concluded that Africa's approach to eradicating food insecurity bears similarities to the international approach that has as its main objective the increasing of food production through agriculture. The fact that food sovereignty is at the core of fighting food insecurity cannot be disputed.

2.4.3 Food security in sub-Saharan Africa: The SADC region

As indicated above, Africa continues to lag behind in food insecurity alleviation efforts; this is often the result of poor governance and poor policies.¹⁵¹ The adoption of regional policies and agreements that favour good governance, such as the Maputo Declaration, the Abuja Declaration 2010 and the CAADP, indicates that inequalities exist within member states as far as social and economic transformation is concerned. Therefore, in adopting such agreements, member states are trying to bridge the gap that is caused by poor governance, with the expectation that consensual commitments between member states would persuade individual state parties to promote and fulfil their obligations in relation to reducing food insecurity. Sub-Saharan Africa could benefit from such policies, because it remains the most food insecure region in Africa.¹⁵²

To indicate the deplorable state of food security in sub-Saharan Africa, SOFI 2019 and SOFI 2020 indicate that sub-Saharan Africa has the highest prevalence of undernourishment in Africa, with one in four people estimated to be undernourished.¹⁵³ In 2019, of the 256.1 million undernourished people in Africa, an estimated 239.1 million lived in sub-Saharan Africa. Progress in achieving the targets set at the Millennium Summit, namely to halve the number of undernourished people by 2015, has been very slow.¹⁵⁴

¹⁵¹ Mwaniki 2006 <http://bit.ly/1JvYKvJ>.

¹⁵² SOFI (2019) 8-9 and SOFI (2020) 10-11.

¹⁵³ See SOFI (2019) 8-9 and SOFI (2020) 10-11.

¹⁵⁴ Goal 1c of the MDGs.

In keeping with the resolutions taken at the Millennium Summit concerning Africa,¹⁵⁵ SADC governments have promulgated legal instruments to accelerating the achievement of food security within their region. One such instrument is the Treaty of the Southern African Development Community Rights in SADC of 1992 ("SADC Treaty"). The Treaty's first objective is to achieve development and economic growth, alleviate poverty, enhance the standard and quality of life of the people of Southern Africa, and support the socially disadvantaged through regional integration.¹⁵⁶ In order to illustrate the milestones that the SADC region has so far reached in its attempt to realise the right to have access to food through food security interventions, the Dar-es-Salaam and Mauritius Declarations are discussed next. The Dar-es-Salaam Declaration makes provision for agricultural transformation which encompass subsistence farming as a food security strategy. The Mauritius Declaration enjoins state parties to adopt short-term food strategies to cater for immediate food needs. The food security strategies that are proposed in these regional instruments are relevant to South Africa's food security strategy as envisage in the IFSS and Food Security Policy.¹⁵⁷

2.4.3.1 The Dar-es-Salaam Declaration

The SADC governments have adopted the Dar-es-Salaam Declaration on Agriculture and Food Security in the SADC Region of 2004 ("Dar-es-Salaam Declaration"), which takes account of the importance of agriculture in ensuring sustainable food security. Paragraph 2 of the Preamble to the Dar-es-Salaam Declaration notes that at least 80% of the people in the SADC region depend on agriculture for food, income and employment. The Dar-es-Salaam Declaration also recognises the commitments to reduce hunger and eradicate poverty through agricultural output made by member states in terms of the Millennium

¹⁵⁵ A key objective at the Millennium Summit was to meet the special needs of Africa by assisting Africans in their struggle for lasting peace, poverty eradication and sustainable development, thereby bringing Africa into the mainstream of the world economy (para 27 of the Millennium Declaration).

¹⁵⁶ SADC Treaty art 5(1)(a).

¹⁵⁷ See paras 2.5 and 3.5.3 of this thesis.

Declaration and the AU Abuja Declaration on Agriculture and Food Security Summit of 2006 ("Abuja Declaration, 2006").

This indicates that SADC governments recognise the importance of food sovereignty in achieving food security. According to the discussions at the Nyeleni Forum on Food Sovereignty,¹⁵⁸ food sovereignty prioritises local and national economies and markets and empowers peasant- and farmer-driven agriculture, artisanal fishing, pastoralist-led grazing, and food production, distribution and consumption based on environmental, social and economic sustainability. Hence, the SADC governments are clearly prioritising agriculture as a means of sustaining food production.

The importance of agrarian reform is further emphasised by the fact that the Dar-es-Salaam Declaration features short-, medium- and long-term objectives on achieving food security. In the short term, member states are encouraged to provide support to smallholder farmers to ensure successful agricultural outputs, among other objectives.¹⁵⁹ This means that member states should ensure that individuals and households are empowered to produce food in order to meet their immediate food insecurity needs. However, in the long term,

"member states are encouraged to adopt policies aimed at ensuring that agricultural outputs meet the needs of their respective nations, by addressing issues such as exporting natural resources, promoting research and technology development in the form of extension services, and ensuring that smallholder farmers and the rural poor have market access that enables them to trade their produce".¹⁶⁰

This long-term objective is essential, especially in ensuring that individuals and households are self-reliant and are able to sustain their livelihoods in the future.

¹⁵⁸ The Nyeleni Forum on Food Sovereignty was held in Mali from 23 to 27 February 2007.

¹⁵⁹ Dar-es Salaam Declaration 3–5.

¹⁶⁰ Dar-es-Salaam Declaration 5–7.

2.4.3.2 The Mauritius Declaration

To complement the Dar-es-Salaam Declaration, the SADC governments adopted the Declaration on Poverty Eradication and Sustainable Development of 2008 ("Mauritius Declaration"), which reaffirms the commitment of member states in eradicating poverty and in implementing the long-term objectives stated in the Dar-es-Salaam Declaration. One priority area identified in the Mauritius Declaration is the need to achieve food security by increasing food production and food flows across the SADC region.¹⁶¹

An interesting feature of the Mauritius Declaration is the fact that it recognises the need to adopt short-term measures to address immediate food needs. Paragraph 1(v) of the Mauritius Declaration provides that one priority area that needs to be addressed is developing and sustaining human capabilities through increased access of the population to quality and appropriate education, training, welfare, social development, nutrition, sporting activities and information. Accordingly, the Mauritius Declaration aims to support the SADC Code on Social Security of 2007 ("SADC Code"), which aims to provide member states with strategic direction and guidelines in the development and improvement of social security schemes, in order to enhance the welfare of the people of the SADC region.¹⁶² Article 5 of the SADC Code provides that everyone in SADC who has insufficient means of subsistence to support himself or herself and their dependants should be entitled to social assistance, in accordance with the level of socio-economic development of the particular member state.

The above provision complements the Charter of the Fundamental Social Rights in SADC of 2003 ("SADC Charter"), which provides for social protection. Article 10(1) of the SADC Charter provides that every worker have a right to adequate social protection, regardless of status and type of employment. Article 10(2) of the SADC Charter provides that persons who are unable to enter or re-enter the labour market and have no means of subsistence shall be entitled to receive

¹⁶¹ Mauritius Declaration paras 1 and 2.

¹⁶² SADC Code art 3.1.

sufficient resources and social assistance. It is important to note that social assistance grants play a critical role in meeting immediate food needs, especially for the chronically poor, as such, measures provide the minimum enjoyment of the right to food.

From the above discussion on promoting food security in SADC, a few conclusions can be drawn in relation to the efforts of SADC governments to realise the right to food. Firstly, the right to food can be realised only in an environment where efficient policies exist. Secondly, the right to food requires progressive realisation, hence the need to adopt short-term and medium- to long-term interventions to promote the fulfilment of this right. Thirdly, a holistic human rights approach, which requires cognisance of international commitments, regional commitments and national commitments, is essential in realising the right to food. The above conclusions align to the international human rights approach in realising the right to food, which views the right to food as part of all human rights, which should be realised within the broader framework of fundamental rights that takes account of the right to development.

2.5 The role of international and regional law: The food security strategy for South Africa

In order to understand the food security strategy for South Africa, there is need to acknowledge the influence of international law and regional law on South African municipal law. In South Africa, section 39 of the *Constitution* recognises that a court must consider international law when interpreting any law or legislation. Section 233 of the *Constitution* further recognises that when a court interprets any law or legislation it should consider an interpretation that conforms to international law. Section 231(4) of the *Constitution* acknowledges the importance of international agreements as part of South African law.

Although the *Constitution* does not explicitly acknowledge regional law, such law can be implied under the provisions dealing with international law, because South Africa's policies and legislative frameworks on the achievement of food security adhere to the commitments and principles set out in SADC's policies and

agreements. One such policy document is the IFSS, which provides that South Africa's food security policy is located within a broader regional and international context.¹⁶³ This policy affirms the importance of the SADC policies on food security and the importance of the international legal framework on the right to food, with specific reference to the Rome Declaration, 1996.

Taking into account the above points, the South African food security strategy draws inspiration from the international and regional legal frameworks, as discussed in paragraphs 2.3 and 2.4. The South African government has implemented policy frameworks that aim to realise the right to food in line with international and regional law.¹⁶⁴ To ensure compliance with its international and regional mandates, the government has since enacted the National Policy on Food and Nutrition Security for the Republic of South Africa of 2013 ("Food Security Policy"). The overall purpose of this policy is to ensure the availability, accessibility and affordability of safe and nutritious food at national and household levels.¹⁶⁵

The Food Security Policy aims to ensure that food production is increased, and provides for a combination of short-term and medium-to long-term interventions.¹⁶⁶ Such an approach to reducing food insecurity aligns to the human rights approach to realising the right to food, as discussed in paragraphs 2.3 and 2.4. This human rights approach not only allows for an increase in food production but also ensures that the overall socio-economic needs of individuals and households are met.¹⁶⁷ Hence, paragraph 4 of the Food Security Policy adopts a holistic approach to food security and provides that food and nutrition security requires well-managed inter-sectoral co-ordination and the genuine integration of existing policies and programmes in health, education and environmental protection, as well as in agrarian reform and agricultural development.

¹⁶³ IFSS 12.

¹⁶⁴ SA Millennium Report (2013) 18–19.

¹⁶⁵ Food Security Policy para 3.

¹⁶⁶ Food Security Policy para 4.

¹⁶⁷ See para 3.3.1 of this thesis; Mechlem 2004 *European Law Journal* 634–637.

The above provision emphasises that the right to food can be realised only within a policy framework that integrates non-food rights, and that the proper realisation of this right requires the adoption of both short-term and long-term objectives.¹⁶⁸ In South Africa, the government's approach to realising the right to food can be termed dualistic as it consists of social assistance, and subsistence agriculture.¹⁶⁹ This is consistent with principle 3 of the Rome Declaration 2009, which provides

"that we must strive for a comprehensive twin-track approach to food security that consists of direct action to immediately tackle hunger for the most vulnerable, and medium- and long-term sustainable agricultural, food security, nutrition and rural development programmes to eliminate the root causes of hunger, including through the progressive realisation of the right to adequate food".¹⁷⁰

In South Africa, the government's approaches to medium- and long-term interventions are centred on rural development and sustainable land tenure. Accordingly, the Rural Development Framework of South Africa is framed around the CRDP and the ISRDS. Paragraph 4.3.2 of the CRDP provides that rural development is about enabling rural people to take control of their destiny, thereby dealing effectively with rural food insecurity through the optimal use and management of natural resources. The ISRDS provides that rural development encompasses the improved provision of services, enhanced opportunities for income generation and local economic development, improved physical infrastructure, social cohesion and physical security within rural communities, active representation in local political processes, and effective provision for the vulnerable.¹⁷¹

A cursory glance at the description of the concept of "rural development" reveals that rural development is geared towards the betterment of the socio-economic

¹⁶⁸ See para 3.3.3 of this thesis.

¹⁶⁹ IFSS 28–29.

¹⁷⁰ Rome Declaration, 2009 principle 3.

¹⁷¹ ISRDS para 78.

conditions of individuals and communities. Paragraph 2.2 of the CRDP¹⁷² outlines the following objectives, among others, that have a direct impact on the right to food: to halve poverty and unemployment by 2014, to improve the nation's health profile and skills base, and to ensure universal access to basic services.¹⁷³ In order to give effect to these objectives, several priority areas are identified, including more inclusive economic growth, decent work and sustainable livelihoods, and rural development, food security and land reform. The above provisions of the CRDP indicate that achieving the right to food with specific reference to rural development, food security and land reform is central to the purpose of the CRDP.¹⁷⁴

On achieving food security, the CRDP provides for agrarian transformation, which has the following objectives, among others: the empowerment of rural communities so that they become self-reliant and can take charge of their destiny, the increased production and sustainable use of natural resources, and the achieving of food security, dignity and improved quality of life for each rural household.¹⁷⁵ Therefore, in line with the MTSF,¹⁷⁶ the CRDP aims to foster agrarian reform as a means of achieving food security. Paragraph 38.3 of the MTSF provides that the government intend to create an environment that ensures that there is adequate food available to all by making agricultural land available, supporting communities to grow their own food, and protecting the poor from rising food prices. This provision affirms the argument advanced above that food sovereignty lies at the heart of achieving food security. The government also has an obligation to fulfil the progressive realisation of socio-economic rights, including the right to food, by providing an environment that empowers people to claim their socio-economic rights.¹⁷⁷

¹⁷² The CRDP is discussed in detail in chapter 3 below.

¹⁷³ CRDP para 2.2.

¹⁷⁴ CRDP para 4.3.1; see also ISRDS para 58.

¹⁷⁵ CRDP para 4.3.1.

¹⁷⁶ The MTSF is discussed in detail in chapter 3 below.

¹⁷⁷ See para 3.4 of this thesis below.

The ISRDS maintains that land reform will assist smallholder farmers with accessing under-utilised farmland,¹⁷⁸ which will enable such farmers to increase food production through agricultural output.¹⁷⁹ Land tenure reform is an important aspect of realising the right to food because it will allow individuals access to natural resources, such as land, that are needed to achieve the right to food.¹⁸⁰ The effective realisation of the right to food is dependent on the availability and accessibility of land, because the proper use of such land enables individuals and households to produce their own food. Secure land tenure is a pre-condition to achieving food sovereignty; therefore, the government has an obligation to ensure that, where appropriate, the individual's rights of access to land are respected and protected.¹⁸¹

Guideline 8.1 of the FAO Voluntary Guidelines provides that

"states should facilitate sustainable, non-discriminatory and secure access to and use of resources consistent with their national law and with international law, and should protect the assets that are important for people's livelihoods, including the implementation of land reform and other policy reforms, consistent with their human rights obligations and the rule of law, in order to secure efficient and equitable access to land, especially for the poor".¹⁸²

This provision indicates the significant role of land reform policies in ensuring food security and in promoting small-scale agricultural production. This highlights the need for the government to act within its constitutional mandate of ensuring that land reform policies are implemented for the benefit of the society at large, especially the most vulnerable and food insecure individuals.¹⁸³

¹⁷⁸ ISRDS paras 131–132.

¹⁷⁹ CRDP para 4.3.3.

¹⁸⁰ See also Cruz 2010 *Discussion Paper* 1–37.

¹⁸¹ See CRDP para 4.3.3.

¹⁸² MTSF para 38.1; see also para 4.2 (sustainable utilisation of natural resources) of the White Paper on Agriculture (1995).

Section 25(5) of the Constitution provides that the state must take reasonable legislative and other measures, within its available resources, to foster conditions that enable citizens to gain access to land on an equitable basis. See also section 25(6) of the Constitution which provides that person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to

It is clear from the above discussion that long-term food security interventions such as agrarian reform¹⁸⁴ are essential in realising the right to food, because agrarian reform focuses on sustainable food security and promotes equality and social justice among individuals by ensuring that the needs of those who lack access to natural resources are met. Furthermore, agrarian reform promotes self-reliance and empowerment among individuals and households, as envisaged in the UN Guidelines on Poverty Interventions.¹⁸⁵

In order to be effective, long-term food security interventions such as subsistence agriculture should be complemented by short-term food security interventions such as social grants that are aimed at meeting the immediate food needs of individuals and households. Therefore, this discussion of food security interventions will be incomplete without referring to social grants and related forms of social assistance.

According to the South African Millennium Development Goals Country Report of 2013 ("SA Millennium Report, 2013"), social assistance in South Africa takes different forms, including free primary health care, no-fee paying schools, social grants, RDP housing, the provision of basic and free basic services in the form of reticulated water, electricity, sanitation and sewerage, among others. These services allow poverty-stricken individuals and households to enjoy the minimum basic amenities in order to live dignified lives.

The SA Millennium Report, 2013 indicates that an estimated 15 million people received social grants in 2011, compared to 3.9 million people who received social grants in 2001. Studies indicate that social grants are important in enabling poor households to purchase food and other basic necessities.¹⁸⁶ At the same time such an increase of social grant recipients indicates the dire situation in South Africa in relation to access to food and other basic amenities. However, on

the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress.

¹⁸⁴ See a detailed explanation of the difference between land reform and agrarian reform below at para 3.5.2 of this thesis.

¹⁸⁵ See paras 18–24 of the UN Principles and Guidelines on Poverty Interventions.

¹⁸⁶ See para 4.3.4 of this thesis.

the positive side, the increased number of social grant recipients indicates the significant role that social assistance plays in alleviating food insecurity and lack of access to socio-economic services.

Social grants also have a transformative role in that they not only combat exclusion at a societal level, but also can positively shape inter-household and intra-household resource allocation and dynamics.¹⁸⁷ Social grants prevent individuals and households from being plunged into destitution. The rapid increase in social protection programmes, including social grants, is a result of the humanitarian concern for people suffering from chronic food insecurity and the global commitment to achieving the MDG of halving poverty and hunger by 2015.¹⁸⁸ Social assistance programmes play a crucial role in reducing food insecurity, especially where individuals and households are chronically poor.

2.6 Conclusion

This chapter discussed the content and context of the right to food at the international level and the regional level, with specific reference to Africa. The chapter also showed the influence of international and regional legal frameworks on the adoption of food-specific policies in South Africa. In order to understand the content and context of the right to food at international level, the chapter explored the relationship between the right to food and food security and examined international human rights instruments on the right to food. In examining the international human rights instruments, the chapter revealed that the right to food and food security share common elements, such as availability of food, accessibility of food, food stability and adequacy, which are integral to determining whether or not individuals and households enjoy the right to food. Furthermore, the discussion above indicated that human right instruments are founded on the concept of development, which is based on the need to integrate all human rights in order to ensure sustainable livelihoods.

¹⁸⁷ Neves *et al* *The Use and Effectiveness of Social Grants in South Africa*.

¹⁸⁸ Devereux and White 2010 *Poverty and Public Policy* 54–77.

The chapter revealed that a human rights approach to realising the right to food is vital, because food security interventions require an all-encompassing approach that takes account of economic, social and political rights. Therefore, achieving the right to food should form part of social development interventions, as affirmed at the World Summit for Social Development. The Copenhagen Declaration and the Rome Declaration, 1996 reveal that the right to food can be effectively realised only when the overall socio-economic needs of individuals and households are prioritised: social problems such as poverty have a detrimental impact on the right to food because poor individuals and households are unlikely to enjoy the right to food. This indicates that social grants and subsistence farming play an integral role in socio-economic development, because food insecurity is one of the common socio-economic deprivations that affect households. Therefore, social grants and subsistence farming as food security strategies address not only household food needs, but also factors such as unemployment, which cause most households to suffer socio-economic deprivations.

This chapter also showed that the right to food could be realised only when governments adopt food-specific policies coupled with specific time limits. Time limits such as those stated in the Millennium Declaration should ensure that governments strive to meet the set targets and propel governments to take their international commitments seriously. The Millennium Declaration also shows that the right to food can be successfully realised only when viewed within the ambit of the concept of good governance. This means that the implementation of food security interventions requires pro-human rights policies that regard rights as mutually reinforcing and arguably provides for rights to be equally protected, promoted and fulfilled.

The discussion further showed the importance of social assistance grants and subsistence farming in ensuring that the chronically poor are not deprived of the right to food. International and regional legal frameworks such as the Rome Declaration, 1996, the Millennium Declaration, the Rome Declaration, 2009, the Maputo Declaration, the Mauritius Declaration, the Dar-es-Salaam Declaration

and the SADC Code, among others, place an obligation on governments to ensure the efficient implementation of social assistance and other social packages that are aimed at meeting the immediate needs of individuals and households.

In the long term, the government is obligated to consider agrarian reform as a sustainable intervention aimed at ensuring food sovereignty not only for individuals and households but also for member states. Governments should therefore empower individuals, households and communities to produce their own food. This chapter showed that food sovereignty leads to food security, which in turn leads to the enjoyment of the right to food. Furthermore, food sovereignty ensures that individuals and households have at their disposal food that complies with the international standards set out in General Comment 12, which requires that food should be culturally acceptable and of adequate nutritional value.

The chapter also showed that the international and regional legal frameworks on the right to food have a great influence on the adoption of food-specific policies in South Africa. In this regard policies such as the ISRDS, the CRDP, the IFSS and the Food Security Policy draw inspiration from the Rome Declaration, 1996, the Rome Declaration, 2009, the Millennium Declaration, the SADC treaty, the SADC Code and the Maputo Declaration, among others. In South Africa, the government has thus adopted both social assistance grants and subsistence farming as strategies to reduce food insecurity. Finally, in order to realise the right to food, food-specific interventions must be properly implemented. This involves a coordinated effort on the part of both the government and individuals to ensure that the principles of good governance are observed.

Chapter 3: The content and context of the right to have access to sufficient food in South Africa

3 The content and context of the right to have access to sufficient food

3.1 Introduction

The right to have access to sufficient food is one of the constitutionally entrenched socio-economic rights. The right not only promotes human survival but also ensures that the government enacts policies that aim to reduce food insecurity in order to give effect to the realisation of the right.¹⁸⁹ This entails that the right to have access to sufficient food provides a yardstick according to which the success of food security interventions (social grants and subsistence farming) can be measured. However, the failure by the government to implement food security interventions does not derogate the vesting of the right to have access to sufficient food. Such failure only violates this right and the positive obligation it imposes on the government to protect, promote, respect and fulfil its realisation remains. The Constitutional Court in the *Grootboom case* summarised the obligation to realise socio-economic rights as follows;

"In any challenge based on section 26 in which it is argued that the state has failed to meet the positive obligations imposed upon it by section 26(2), the question will be whether the legislative and other measures taken by the state are reasonable. A court considering reasonableness will not enquire whether other more desirable or favourable measures could have been adopted, or whether public money could have been better spent. The question would be whether the measures that have been adopted are reasonable. It is necessary to recognise that a wide range of possible measures could be adopted by the state to meet its obligations".¹⁹⁰

This entails that the right to have access to sufficient food, like all socio-economic rights, is more than a "paper" right; it requires the government to be proactive in securing the well-being of its citizens, which means states should take measures that enable the effective and progressive realisation of socio-

¹⁸⁹ See section 7 of the *Constitution* read with sections 27(1)(b) and 27(2) of the *Constitution*

¹⁹⁰ *Grootboom* para 41.

economic rights. In South Africa, this duty emanates from section 7(1) read with section 27(2) of the *Constitution*, which provides that the Bill of Rights is a cornerstone of democracy in South Africa. The Bill of Rights enshrines the rights of all people in the country and affirms the democratic values of human dignity, equality and freedom.

At the international level, the ICESCR imposes a duty on states to ensure the progressive realisation of socio-economic rights.¹⁹¹ The ICESCR provides that

"human beings should enjoy freedom from fear and want and this can be achieved only if conditions are created whereby everyone may enjoy his or her economic, social and cultural rights, as well as his or her civil and political rights".¹⁹²

This obligation to protect economic, social and cultural rights also requires "states to develop targeted, legally consistent, and sufficiently progressive policies towards securing those rights".¹⁹³ The basis for enacting targeted policies in realising socio-economic rights is because these rights places a positive obligation on states to ensure that individuals and communities enjoy a dignified existence.¹⁹⁴ Socio-economic rights aim to create access to material conditions that promote human well-being and as such acknowledge the fundamental premise that all human beings are equal with equal entitlements.¹⁹⁵

In addition to taking targeted measures in realising socio-economic rights, governments should also take measures to enable individuals to lay claim to their socio-economic rights and to demand that states fulfil their obligations in respect of these rights. Such additional measures can be feasible only by having regard to the importance of civil and political rights as the basic rights that provide a vehicle through which the poor can, through democratic means, gain recognition

¹⁹¹ See paras 2.1, 2.2, 2.2.1 and 2.3.1 of this thesis on the importance of the ICESCR and the promotion of the right to food.

¹⁹² Preamble to the ICESCR.

¹⁹³ Leckie 1998 *Human Rights Quarterly* 93–106.

¹⁹⁴ See Liebenberg 2002 *Law, Democracy and Development* 159-191 for a detailed discussion of socio-economic rights in the *Constitution*.

¹⁹⁵ Zieck 1992 *Law and Politics in Africa, Asia and Latin America* 166.

for and advance their socio-economic interests.¹⁹⁶ The importance of using civil and political rights to lay claim to socio-economic demands can be found in section 7(2) of the *Constitution*, which provides that the state must respect, protect, promote and fulfil the rights in the Bill of Rights. This indicates that civil and political rights are critical to the functioning of democracy and are central to human welfare as these rights provide an effective platform on which socio-economic rights can be realised.¹⁹⁷

Hence, socio-economic rights are important because they guarantee everyone the right to have access not only to the important components of an adequate standard of living but also to things that are ordinarily regarded as the basic necessities of life.¹⁹⁸ Thus, socio-economic rights are an essential set of rights because they aim to improve societal well-being. Socio-economic rights cannot be unduly interfered with, except in compliance with the constitutional limitations. Social rights are justiciable at least to the extent that they impose a duty of non-interference, in that the state may not effectively hinder their realisation.¹⁹⁹

This chapter focuses on second-generation rights, and more specifically the realisation of socio-economic rights, with specific reference to the right to have access to sufficient food as entrenched in section 27(1)(b) of the *Constitution*. A discussion of the right to have access to sufficient food needs to take place within the broader framework of poverty and poverty alleviation in South Africa, because poverty precedes a lack of access to food. This lack of access is limited to the definition of the right to food as articulated in the General Comment 12.²⁰⁰ Thus, poverty affects an individual's or a household's access to basic needs and

¹⁹⁶ Bilchitz 2015 *SAJHR* 88.

¹⁹⁷ Gavison "On the Relationships between Civil and Political Rights, and Social and Economic Rights" 23- 55.

¹⁹⁸ Mubangizi 2006 *Afr J Legal Stud* 5.

¹⁹⁹ Pieterse 2003 *Stell LR* 10–11.

²⁰⁰ See para 2.2.2 of this thesis.

causes a lack of material well-being, such as access to basic resources (for example, land and income).²⁰¹

Poverty is a condition that causes an individual or a family to be unable to afford an adequate level of living in keeping with society's standards.²⁰² It follows that if people cannot afford an adequate standard of living, they are likely to lack access to resources such as money and land to acquire the necessities, such as food. Poverty is characterised by a lack of basic needs and a lack of command over resources.²⁰³ In order to address this lack of access to food, the government needs to implement short-term and long-term interventions to reduce food insecurity within the broader framework of food security interventions, as required by section 27(1)(b) and section 27(2) of the *Constitution*.

This chapter focuses broadly on the role of socio-economic rights, specifically the right to have access to sufficient food, in ensuring that food security interventions are properly implemented in order to enhance household food security. When examining the role of socio-economic rights in promoting food security, the focus is specifically on the right to have access to sufficient food in South Africa and the existing legislative frameworks aimed at giving effect to this right. The chapter discusses the purposes of these legislative frameworks and other measures in providing a platform for the implementation of social grants and subsistence farming as strategies to alleviate poverty. The chapter focuses on the relevance of these legislative frameworks and other measures in reducing household food insecurity.

This chapter, firstly, examines the importance of socio-economic rights and their role in poverty reduction. This is done by examining the content and attributes of socio-economic rights in general and as entitlements upon which individuals and households can rely on in the realisation of the right to food. Secondly, look at

²⁰¹ Spicker *Poverty and Social Security: Concepts and Principles* 11-16.

²⁰² Adeola 2005 *Race, Gender and Class* 3; see definition of "poverty" and discussion on relative and absolute poverty in para 3.2 of this thesis.

²⁰³ Spicker *Poverty and Social Security: Concepts and Principles* 22-23.

the concept of poverty and its dimensions in order to lay a basis for how poverty affect access to food. Thirdly, it looks at the causes of poverty in order to determine what food security interventions are needed to enhance food security. Finally, it looks at the role of socio-economic rights in reducing food insecurity in light of the *Mazibuko* and *Grootboom* cases. These cases are used because of the important principles that the Constitutional Court laid down in each case on what constitutes the proper realisation of socio-economic rights and what interventions can be considered sufficient in giving effect to such rights. The principles in the *Mazibuko* case are used as examples of what a minimum intervention on poverty alleviation should contain. Such minimum interventions are likened social protection in the form of social grants as strategies for reducing food insecurity at household level. The principles laid down in the *Grootboom* case set a standard for medium- to long-term interventions in reducing food insecurity, namely subsistence farming. Finally, legislative frameworks that give effect to the right to have access to sufficient food, with the aim of indicating the importance of these policies and legislative frameworks in laying a foundation for food security interventions is discussed.

3.2 The concept of poverty and its dimensions

"Poverty" is defined

"as a human condition characterised by the sustained or chronic deprivation of resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, cultural, economic, political and social rights".²⁰⁴

Poverty is a condition that deprives those affected by it of necessities such as shelter, access to education, access to health facilities, access to job opportunities and access to food.²⁰⁵ In the context of this study, poverty

²⁰⁴ UN Factsheet 10.

²⁰⁵ The World Bank's definition of poverty states that "poverty is hunger, lack of shelter, being sick and unable to see the doctor, not having access to school and not knowing how to read, not having a job, fear for the future, living one day at a time, losing a child to illness brought

characterised by a lack of access to resources that enable individuals and households to enjoy adequate levels of living makes such individuals and households vulnerable to food insecurity. Hence, governments need to enact policies to give effect to food security interventions.

Therefore, signatory states to the ICESCR should identify the form of poverty that manifests within its territory,²⁰⁶ because poverty takes various forms, the two most notable being absolute poverty and relative poverty. Absolute poverty refers to a condition characterised by the severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education and information.²⁰⁷ Absolute poverty is best defined as a condition where the next meal or its absence means the difference between life and death.²⁰⁸ Absolute poverty is a state of human deprivation that affects the capability of individuals to acquire the basic amenities of a livelihood.²⁰⁹ Relative poverty, on the other hand, is defined as poverty in relation to social norms and standards of living in a particular context. Relative poverty is the inability of a person to participate in social activities even if such activities are not necessary for survival.²¹⁰ Therefore, relative poverty is measured according to one's standard of living in relation to other people.²¹¹

A look at these two forms of poverty indicates that food security interventions aim to reduce absolute poverty, because absolute poverty not only hampers human survival but also human development. Since human survival and development are dependent on access to basic needs, we can conclude that

about by unclean water, powerlessness, and lack of representation and freedom" in Sanal and Zare 2015 *International Journal of Business and Social Science* 98.

²⁰⁶ Article 19 of the Copenhagen Programme of Action provides that "poverty has various manifestations: lack of income and productive resources sufficient to ensure sustainable livelihoods; hunger and malnutrition; ill-health; limited or lack of access to education and other

basic services; increased morbidity and mortality from illness; homelessness and inadequate housing; unsafe environments; and social discrimination and exclusion".

²⁰⁷ SPII 2007 "The Measurement of Poverty in South Africa Project: Key Issues" 24.

²⁰⁸ Swanepoel and De Beer Community Development: Breaking the Cycle of Poverty 3.

²⁰⁹ Chambers 1995 *Environment and Urbanization* 173–204.

²¹⁰ Swanepoel and De Beer Community Development: Breaking the Cycle of Poverty 3.

²¹¹ Okuneye et al The Nigerian Agriculture and Poverty Incidence: The Need for Private Sector Empowerment.

poverty is likely to lead to food insecurity and has as a direct effect on the realisation of the right to have access to sufficient food. Any potential food security interventions should take account of the fact that the right to have access to sufficient food should be realised within the broader human rights approach that recognises the indivisibility of rights.²¹²

Poverty is a condition that affects all nations the world over.²¹³ It is a condition that places households in dire need and often leads to food insecurity.²¹⁴ As already indicated in paragraph 3.1, poverty leads to food insecurity because poverty deprives one of a decent quality of life.²¹⁵ According to Mubangizi²¹⁶, poverty is a state of being poor or the state of one who lacks the usual or acceptable amount of money or material possessions. Poverty leads to a lack of control over resources and deprivation, and people who are deprived cannot meet their basic needs, including access to food.²¹⁷

Paragraph 6 of the Copenhagen Declaration provides that economic development, social development and environmental protection should be considered as interdependent and mutually reinforcing components aimed at the betterment of the quality of life for all people. Therefore, in order to effectively realise the right to food, governments should create an enabling environment that considers factors such as democracy, the rule of law and participation in decision-making, all of which are vital in developing effective social development policies and programmes.²¹⁸ Food security interventions are included in social development programmes because poverty is a multidimensional phenomenon that not only denies individuals the necessities of material well-being but also denies them the opportunity of living a tolerable life.²¹⁹ Poverty makes individuals

²¹² See para 2.3.2 of this thesis.

²¹³ State of Food Insecurity in the World Report, 2015 ("SOFI 2015") 8-9.

²¹⁴ SOFI (2015) 26-27.

²¹⁵ Mbughi and Selim 2006 *Review of Social Economy* 181–204.

²¹⁶ Mubangizi 2007 *Law, Democracy and Development* 1.

²¹⁷ Spicker *Poverty and Social Security: Concepts and Principles* 15-17; see also Laderchi, Saith and Stewart Working Paper 1–41.

²¹⁸ See Copenhagen Programme of Action para 71.

²¹⁹ Anand and Sen "Concepts of Human Development and Poverty: A Multidimensional Perspective" 1–20; see also Bentley 2004 *Review of African Political Economy* 247–261.

vulnerable to socio-economic inequality and human indignity by widening the gap between the poor and the rich.²²⁰

To curb such socio-economic inequality a combination of rights must be used to lay claim to socio-economic needs.²²¹ Paragraph 25 of the Copenhagen Declaration provides

"that governments are committed to lobbying their political, economic, ethical and spiritual vision for social development that is based on human dignity, human rights, equality, respect, peace, democracy, mutual responsibility and cooperation, and full respect for the various religious and ethical values and cultural backgrounds of people that will promote social progress, justice and the betterment of the human condition".²²²

Furthermore, paragraph 26 of the Copenhagen Declaration states

"that governments will create a framework for action to promote democracy, human dignity, social justice and solidarity at the national, regional and international levels; and to ensure tolerance, non-violence, pluralism and non-discrimination, with full respect for diversity within and among societies".²²³

This Declaration also aims to promote the equitable distribution of income and greater access to resources through equity and equality of opportunity for all. The above provisions indicate the importance of civil and political rights in securing socio-economic rights. Human development (which is the umbrella concept for social development) and human rights are mutually reinforcing and interdependent. Du Plessis summarises this interdependence of rights as follows:

"[D]evelopment, in essence, must represent "the whole gamut of change" by that an entire social system, turned to the diverse basic needs and desires of individuals and social groups within that system, moves away from a condition of life widely perceived as unsatisfactory, towards a situation or condition of life regarded as materially and spiritually better".²²⁴

²²⁰ See para 3.4.1-3.4.5 of this thesis.

²²¹ See para 3.1 of this thesis on the importance of civil and political rights in enforcing socio-economic rights.

²²² Copenhagen Declaration para 25.

²²³ Copenhagen Declaration para 26.

²²⁴ Du Plessis 2007 *Politeia* 217–225.

This discussion indicates that the link between poverty and the right to have access to sufficient food is found in the concept of "deprivations",²²⁵ because poverty is one of the key driving factors that hampers the realisation of the right to have access to sufficient food. Poor individuals and households lack the necessary resources in the form of income or assets that enable them to acquire or produce food. This lack of basic resources often leads to households being food insecure. Governments should set up food security interventions that fall within the ambit of a holistic approach to human rights that considers the interdependence of rights in realising socio-economic rights. Hence, "soft laws" such as the Copenhagen Declaration provide a foundation upon which other rights, such as civil and political rights, may be used to create an enabling environment that is responsive to the realisation of socio-economic rights.

3.3 The causes of poverty and its prevalence in rural communities

Poverty is caused by a variety of factors, both natural and man-made. Natural factors include natural disasters such as fires, floods etc. Man-made factors are globalisation, lack of education, civil unrest, wars, lack of education and diseases.²²⁶ If poverty is caused by different factors, then different food security interventions should cater for those affected by poverty. Food security interventions should provide for immediate needs and long-term needs. In the discussion that follows, I first look at the most common general causes of poverty as they prevail globally, and discuss how such causes have perpetuated poverty and how their effects can be reduced. Secondly, the causes of poverty in South Africa and their relationship to food insecurity at the household level are examined. This Chapter also discusses how these causes of poverty can be minimised through food security interventions such as social grants and subsistence farming.

²²⁵ Deprivation refers to lacking what is needed for well-being (see Chambers 1995 *Environment and Urbanization* 174).

²²⁶ Nwonwu The Millennium Development Goals: Achievements and Prospects of Meeting the Targets in Africa 12; see also Mubangizi 2007 *Law, Democracy and Development* 4–10.

3.3.1 *The global general cause of poverty*

3.3.1.1 Globalisation as a cause of poverty

The concept of globalisation has a wide range of definitions, depending on the context that one wishes to discuss. According to Al-Rodhan and Stoudmann:

"globalisation involves economic integration, the transfer of policies across borders, the transmission of knowledge, cultural stability, the reproduction, relations and discourses of power; it is a global process, a concept, a revolution and an establishment of global market free from socio-political control".²²⁷

Like Al-Rodhan and Stoudmann, Bardhan notes that the concept of globalisation has diverse meanings.²²⁸ However, Bardhan chooses to define globalisation as an openness to foreign trade and long-term capital flows.²²⁹ For the purposes of this study Bardhan's definition of globalisation is adopted and globalisation is viewed as a platform that enables countries to trade with each other. I have chosen Bardhan's definition because trade between countries affects the flow of capital and commodities between countries, and if other countries are burdened with strict export/import laws (especially in the agricultural sectors which are the most prevalent in most developing economies), they may have difficulties exporting their goods or produce, which results in the lowering of their Gross Domestic Product (GDP).²³⁰ Once the GDP decreases, households may be negatively affected and such households become poorer.

The question that needs to be answered is how globalisation perpetuates poverty. Globalisation has led to poverty in Africa for two main reasons.²³¹ Firstly, African countries have over the years relied on foreign creditors to grow their economies, leaving them with huge debts that need to be repaid, thereby diminishing the domestic coffers. Due to their reliance on foreign funding,

²²⁷ Al-Rodhan and Stoudmann Definitions of Globalization: A Comprehensive Overview and a Proposed Definition 5.

²²⁸ Bardhan 2005 *Research Paper, UNU-WIDER* 1–15.

²²⁹ Bardhan 2005 *Research Paper, UNU-WIDER* 1–15.

²³⁰ Bardhan 2005 *Research Paper, UNU-WIDER* 1–15.

²³¹ Mubangizi 2007 *Law, Democracy and Development* 4–5.

including funding from the International Monetary Fund, most developing countries are compelled to reduce their expenditure on basic necessities such as health, education and social welfare, which in turn results in minimal expenditure on basic services that enable citizens to have access to the basic amenities of life.²³² Citizens who are unable to afford such basic services can also not access social welfare in the form of social grants and other social relief.²³³

Secondly, the protectionists' approach to the export and import of agricultural products make it difficult to export African agricultural produce to western economies.²³⁴ Protectionism is an economic policy of restricting trade between nations by imposing the following: high tariffs on imported or exported goods, restrictive quotas, a variety of restrictive government regulations designed to discourage imports, and anti-dumping laws designed to protect domestic industries from foreign take-over or competition.²³⁵ Developing countries find it difficult to export agricultural produce to developed countries because of health and safety regulations. This hampers the marketability of agricultural produce and results in financial losses.²³⁶

Farmers in developing countries incur losses in the following ways due to protectionist measures.²³⁷ According to Khor²³⁸, developing countries lose export opportunities and revenues by having their market access blocked in the developed countries using the subsidies, they lose export opportunities in third countries, because the subsidising country is exporting to these countries at artificially low prices and , they lose their market share in their own domestic market, or even lose their livelihoods, due to the inflow of artificially cheap subsidised imports.

²³² Mubangizi 2007 *Law, Democracy and Development* 4–5. See Khor "Overview" 17–18.

²³³ See Spicker *Poverty and Social Security: Concepts and Principles* 69-70.

²³⁴ Sachs *et al Brookings Papers on Economic Activity* 121–123. See also Nwonwu *The Millennium Development Goals: Achievements and Prospects of Meeting the Targets in Africa* 12–16.

²³⁵ Fouda 2012 *International Journal of Trade, Economics and Finance* 351.

²³⁶ Shackleton *et al* 2008 *World Development* 19.

²³⁷ Shackleton *et al* 2008 *World Development* 29.

²³⁸ Khor "Overview" 29.

As a result, domestic farmers; developing countries often relax their export–import trade laws.²³⁹ This in turn gives foreign investors access to developing economies due to the lax domestic investment laws.²⁴⁰ This often results in the exploitation of local human and natural resources and profits are transferred back to the imperial centres.²⁴¹ Such exploitation results in impoverishment, inequality and injustice for the domestic community.²⁴² These high levels of poverty in the domestic markets cause foreign investors to exploit the gap and invest in such markets with the result that domestic produce loses its market viability. The developed world's protectionist measures restrict the growth of exports from the developing world.²⁴³ On the other hand, agricultural subsidies in rich countries cause the overproduction of certain farm products and the agricultural surplus is often dumped on world markets, which depresses prices and undermines unprotected farmers.²⁴⁴

As a result, the agricultural produce that was meant to improve the livelihoods of households and communities in developing countries cannot be sold. Without any income from their agricultural produce, farmers cannot afford to farm or meet their basic amenities of life and those of their households.²⁴⁵ This in turn results in food insecurity at both the household and the national level and often defeats the purpose of agriculture as a long-term intervention for enhancing food security.²⁴⁶

The above discussion highlights the negative effect of globalisation on developing countries and how globalisation often contributes to food insecurity in developing countries, especially those relying on subsistence production to supplement their income. Unlike commercial farmers, subsistence farmers lack

²³⁹ Moss and Bannon 2004 *World Policy Journal* 53-60.

²⁴⁰ See Kiely 2005 *Current Sociology* 895-911.

²⁴¹ Gissinger and Gleditsch 1999 *Journal of World Systems on Research* 334.

²⁴² Sindzingre *Explaining Threshold Effects of Globalization on Poverty: An Institutional Perspective* 27.

²⁴³ Tupy 2005 *Policy Analysis* 1–23.

²⁴⁴ Tupy 2005 *Policy Analysis* 4.

²⁴⁵ See Moss and Bannon 2004 *World Policy Journal* 54.

²⁴⁶ Raman "Survey of experiences" 64.

both the institutional and resource capacity to enter the agricultural market.²⁴⁷ Due to the limited competitiveness of subsistence farmers in the global agricultural market caused by stringent export regulations, farmers do not yield any return on their production, thus not achieving the third goal of subsistence farming, which is to sell farm produce for monetary income.²⁴⁸ The income that was supposed to accrue to a household to purchase additional food is lost, pushing households deeper into food insecurity.

3.3.1.2 Lack of democracy and poor governance as causes of poverty

Democratic governments have over the years enacted national policies and legislative frameworks and adopted both regional and international instruments that strive to reduce food insecurity.²⁴⁹ It has become vital for governments to adopt practical and implementable policies that address food insecurity at the national and household levels and that are consistent with the prevailing international trends as envisaged in the Millennium Declaration and the Copenhagen Declaration. Food security interventions have become an integral part of a state's ability to promote good governance. As already indicated above, good governance is fundamental in ensuring that socio-economic policies are effectively implemented.²⁵⁰ A state that adheres to democratic principles and the rule of law is likely to create an environment in which human rights are respected, protected and fully realised.

Poor government policies can hamper the realisation of rights, thereby perpetuating food insecurity.²⁵¹ A good example of this is apartheid South Africa, where apartheid laws such as the *Native Resettlement Act* 19 of 1954 and the *Bantu/Native Building Workers Act* 27 of 1951-limited access to natural resources and denied the majority of African citizens their basic needs, such as water, land

²⁴⁷ Pingali 1997 *American Journal of Agricultural Economics* 12–28.

²⁴⁸ Naranjo 2012 *Agriculture and Human Values* 233; see paras 1.2.15 and 4.4.1 of this thesis for the definition and other goals/elements of subsistence farming.

²⁴⁹ See paras 6.2.1 and 6.3.1 of this thesis.

²⁵⁰ See para 2.3.3 of this thesis above.

²⁵¹ Baulch "Why Poverty Persists: Poverty Dynamics in Asia and Africa" 11–19.

and clean air.²⁵² These laws were enacted under a dispensation that did not adhere to the rule of law and respect for fundamental rights and resulted in poor decision-making, which in turn led to an unequal distribution of wealth that saw the majority of the population being plunged into deep poverty.²⁵³ Pre-democratic policies and legislative frameworks did not allow for the adoption of food security interventions because they did not respect fundamental rights such as socio-economic rights.

Academic studies²⁵⁴ indicate that governance is far weaker in the poor countries of the world than in the rich countries, mostly because of poor policy formulations, abuse of power and illegitimate laws.²⁵⁵ Good policies are usually a result of good governance, which is defined as the extent to which (a) states exercise legitimate authority within their territorial borders and in interactions with other states and extra-territorial authorities; and (b) legitimate authority stems from binding consultation with citizens and is exercised with regard to the preferences of citizens.²⁵⁶

All I factors that inform a state's governance policies have an influence on whether a state remains trapped in poverty or escapes the poverty trap, because the difference between the economic prosperity of a state and its penury lies in the tenacity of each state's governance policies.²⁵⁷ Werlin²⁵⁸ distinguishes between Singapore and Jamaica in so far as the two states' economies have grown and poverty has been reduced since independence. Singapore has brought about change within its bureaucratic control, such as improving salaries and working conditions, reducing staffing, discouraging corruption, and changing the values of civil servants, including transforming its judicial system to ensure

²⁵² Mafunganyika 2011 *SAPL/PR* 202.

²⁵³ Hoogeveen and Ozler William Davidson Working Paper 1–6.

²⁵⁴ See full discussion on the role of democracy and good governance in poverty eradication in Chujor and Dickson 2017 *Journal of Political Science and Leadership Research* 33-40; Wietzke 2019 *Democratization* 935-958; Pande 2020 *Science* 1188-1192; Razafindrakoto and Roubaud. *African Statistical Journal* 43-82.

²⁵⁵ Werlin 2003 *Public Administration Review* 330.

²⁵⁶ Moore 2001 *Public Management Review* 389.

²⁵⁷ Werlin 2003 *Public Administration Review* 330.

²⁵⁸ Werlin 2003 *Public Administration Review* 334–336.

transparency.²⁵⁹ Jamaica has succumbed to persistent mismanagement of the economy and corruption, which has resulted in slow growth, budgetary shortfalls, inflation and unpayable debts.²⁶⁰

The above discussion indicates that while bad governance perpetuates food insecurity, good governance goes a long way in reducing food insecurity. As seen in the examples of Singapore and Jamaica, good governance is important because it paves the way for the formulation of policies that aim to further the socio-economic well-being of people by incorporating such policies within the government's overall human rights policy framework. Since poverty constitutes a violation of human rights, specifically the right to have access to food, good governance provides an avenue for the implementation of food security interventions. For example, since 1994, democratic South Africa has adopted human rights policies such as the RDP and the White Paper on Social Welfare of 1997, which focus on economic development and poverty alleviation. These policies have led to the implementation of strategies such as social grants, which have reduced chronic household food insecurity.²⁶¹

3.3.1.3 Civil unrest and wars (conflicts)

Civil unrest and wars threaten personal security and also threaten human security as a whole.²⁶² According to Taylor, human security–

"is based on the idea that all human beings should be able to live a life of dignity and respect and that this can only be achieved when human beings are free from both political fear and socio-economic want".²⁶³

Civil unrest and wars often lead to economic collapse as economic activities are abandoned, infrastructure is destroyed, and social services are disrupted or

²⁵⁹ Werlin 2003 *Public Administration Review* 334–336.

²⁶⁰ Werlin 2003 *Public Administration Review* 335–336.

²⁶¹ Nkosi 2011 *SAPL* 81–96; see also Goldblatt 2009 *SAJHR* 442–466.

²⁶² Mubangizi 2007 *Law, Democracy and Development* 7–8.

²⁶³ Taylor 2002 *ESR Review* 31–32.

neglected.²⁶⁴ Goodhand²⁶⁵ calls these the indirect costs of conflict and views the death, disablement and displacement of societies caused by conflicts as direct costs. He further observes that although the direct costs of conflicts are inhumane, the indirect costs of conflicts lead to an increase in poverty since these affect basic services, for example, a lack of medical services and the destruction of other socio-economic amenities.²⁶⁶

Civil unrest and wars lead to fragmented governments, which in turn result in lack of coordination in respect of the distribution of socio-economic resources. As a result, people are unable to access basic amenities of life, which leads to poverty and even migration, due to high poverty levels. A good example is Somalia, where years of civil unrest and political instability has seen Somalia becoming one of the poorest countries in the world, with over 900,000 people fleeing to other countries and over 1,000,000 other people being displaced from their homes.²⁶⁷ Given the effects of civil unrest, wars and political instability, migration may be the only way for most immigrants to escape poverty.

Civil unrest is often the result of authoritarian rule that leads to the needs and interests of the poor being ignored by unelected and unresponsive leaders who are more concerned with self-enrichment, thus worsening poverty in their countries.²⁶⁸ This leads to poor policy formulations, as indicated in paragraph 3.3.1.2 above, and this often results in food security interventions being improperly implemented. Realising socio-economic rights, including the right to food, is hampered, which results in increased household food insecurity.

3.3.1.4 Lack of education and illiteracy

In paragraph 3.2 it is distinguished between absolute poverty and relative poverty. Although the former seems more severe than the latter, both forms of

²⁶⁴ Mubangizi 2007 *Law, Democracy and Development* 8.

²⁶⁵ Goodhand 2003 *World Development* 631.

²⁶⁶ Goodhand 2003 *World Development* 629–646.

²⁶⁷ Shimeles 2014 *IZA Discussion Paper* 6-7.

²⁶⁸ Harber 2002 *Comparative Education* 269–271.

poverty tend to trap those affected in a situation of deprivation and hardship.²⁶⁹ This in turn leads to so-called poverty traps, where those affected live in perpetual poverty and lack basic social and economic services, such as employment, health care, education, food and clean water and sanitation.²⁷⁰

It is of course possible to escape poverty. One factor that contributes to the alleviation of poverty is education. Education plays a vital role in giving people the knowledge to improve their livelihoods and also in providing access to formal employment, which provides an escape from chronic poverty.²⁷¹ Households with persons who have some form of education are more likely to escape poverty than those whose members are not educated.²⁷² The elimination of poverty is thus dependent on the increased and improved levels of education of the citizens of a particular state.²⁷³ Governments must enact pro-education policies that enable citizens to empower themselves, thus escaping the poverty, and that leads to sustainable economies that are based on the equitable sharing of wealth. Furthermore, a good education system can reduce the number of unemployed individuals and result in more people falling within the economically active population. This will reduce the number of people relying on social grants.

3.3.1.5 Diseases

The impact of HIV/AIDS as a significant contributor to poverty only at household level, due to its gender-specific dimension in South Africa: the prevalence of HIV among women in South Africa is higher than among men is addressed.²⁷⁴ This is due to impoverished conditions, where women lack access to basic social services such as water and sanitation services.²⁷⁵ The plight of such women is worsened by the fact that they are isolated mostly in rural areas and are

²⁶⁹ Swanepoel and De Beer Community Development: Breaking the Cycle of Poverty 2–12.

²⁷⁰ For a better understanding of the concept of "poverty traps" see Bird *et al* *CPRC Working Paper* 1-57; see also Azariadis and Stachurski *Research Paper* 1–102.

²⁷¹ Baulch Why Poverty Persists: Poverty Dynamics in Asia and Africa 12–21.

²⁷² See Seccombe 2000 *Journal of Marriage and Family* 1094–1113 on the effect of education in reducing poverty at household level.

²⁷³ Harber 2002 *Comparative Education* 271–274.

²⁷⁴ Dugard and Mohlakoana 2009 *SAJHR* 546–549.

²⁷⁵ Dugard and Mohlakoana 2009 *SAJHR* 547.

unemployed.²⁷⁶ As a result most of them are poverty-stricken and rely on government grants for survival.²⁷⁷

HIV/AIDS is a cause of poverty and worsens poverty. The prevalence of HIV/AIDS also increases household food insecurity as it limits the livelihoods of those affected by the disease. For example, parents who have died and left their children to fend for themselves, leading to the existence of child-headed households.²⁷⁸ Therefore, the prevalence of HIV/AIDS negatively affects food security at household level, because child-headed households may not be able to undertake poverty alleviation activities such as subsistence farming or obtain employment to escape the poverty trap.

3.3.2 The causes of poverty in South Africa

Paragraph 3.3.1 addressed the general causes of poverty as they prevail globally. This section focuses on the causes of poverty in South Africa, as detailed in scholarly articles, government policies and reports. The section also analyses the reasons behind increased poverty levels in rural areas, compared to other settlements, such as urban and peri-urban areas. Some of the causes of poverty discussed below are unemployment, the geographical location of rural areas, gender inequality, and fragmented and discriminatory policies. The rural provinces of South Africa, most notably Limpopo, KwaZulu-Natal and the Eastern Cape, are home to the most poverty-stricken communities.²⁷⁹ This has resulted in huge social and economic disparities, with people living in rural areas lacking the most basic necessities of life compared to those in other settlements. The most severely affected households include female-headed households and child-

²⁷⁶ Chenwi and McLean 2009 *SAJHR* 529–531.

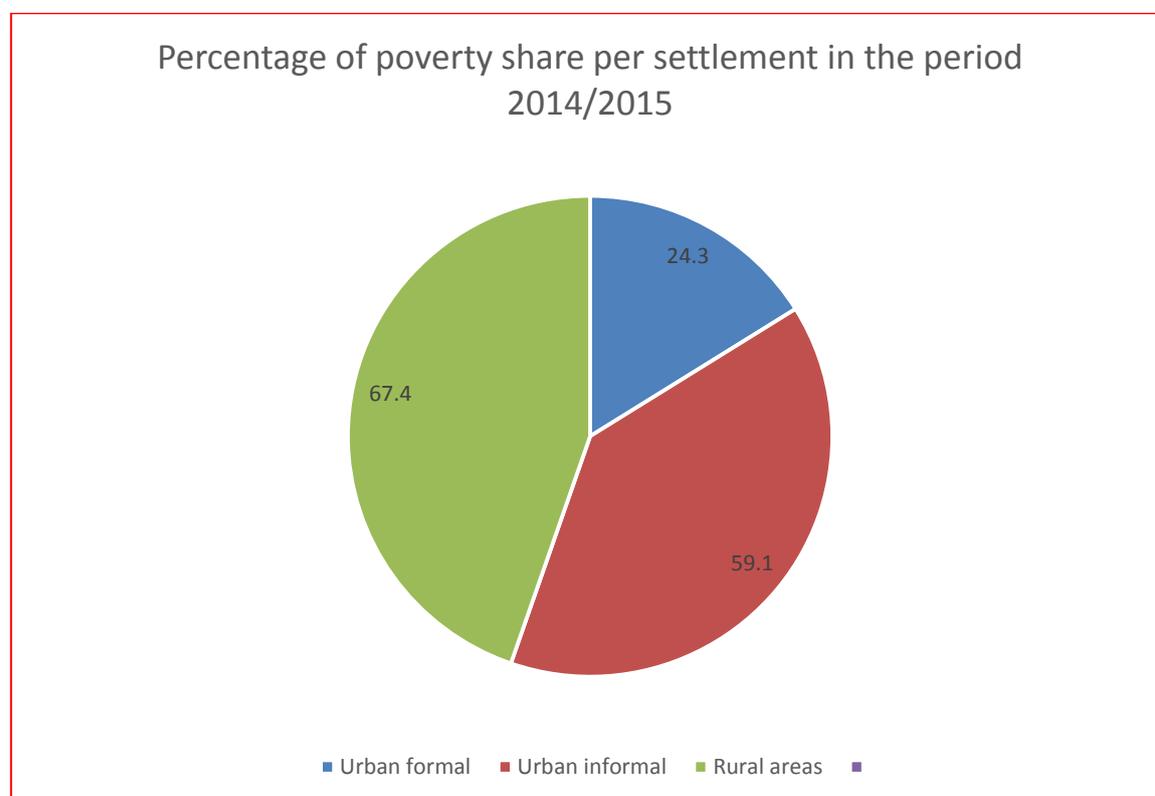
²⁷⁷ Goldblatt 2009 *SAJHR* 442–466.

²⁷⁸ Nkosi 2011 *SAPL* 85; see also Mubangizi 2007 *Law, Democracy and Development* 9–11.

²⁷⁹ Mears and Blaauw 2011 *Africanus* 78–95.

headed households, resulting in such households being likely to fall into poverty, as indicated in Table 3-1, 3.2 and Table 4-1 below.²⁸⁰

TABLE 2-1: Poverty levels according to settlements 2014/2015



Source: LCS 2014/2015.

Table 2-1 shows the inequality caused by poverty between different settlements and rural households are shown to be more vulnerable to food insecurity. The high levels of poverty in rural areas may also be the result of factors such as geographical location, which makes it difficult for rural people to find employment opportunities. This is due mainly to apartheid, which stripped people of their assets (especially land), distorted the economic markets and social institutions through racial discrimination, and resulted in violence and destabilisation.²⁸¹ The lack of employment opportunities means that rural poverty

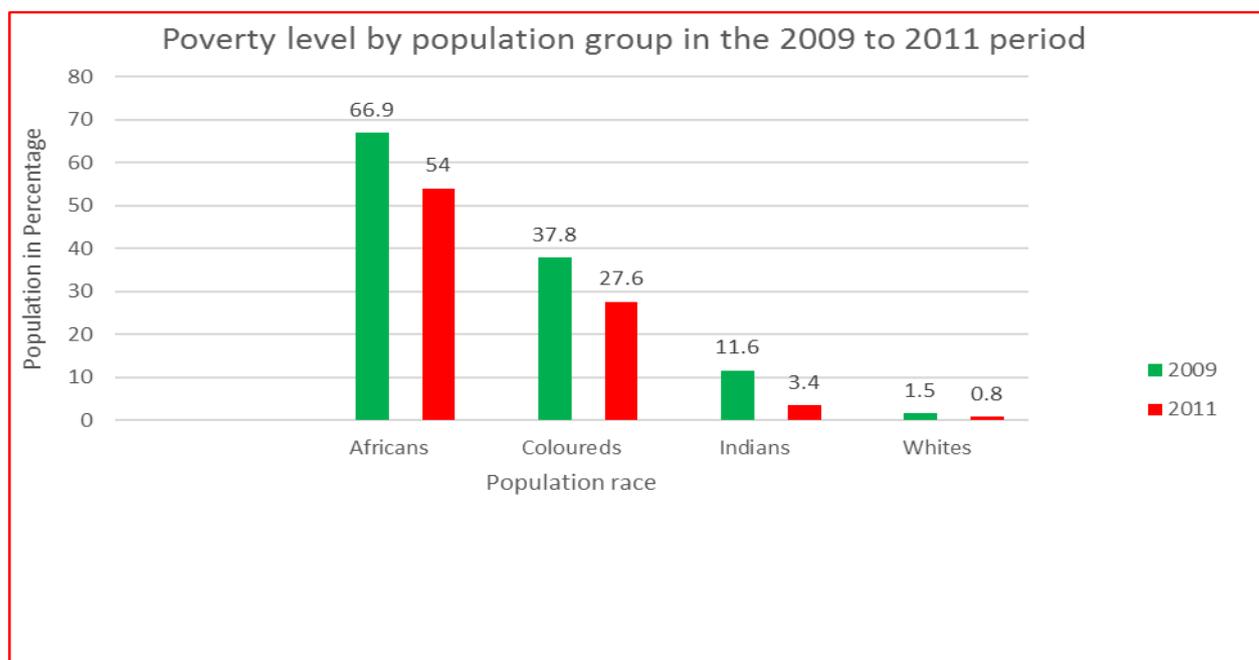
²⁸⁰ See RDP para 2.1.1. See also Dugard and Mohlakoana 2009 *SAJHR* 546–548 and Mears and Blaauw 2011 *Africanus* 78–95 for a further discussion of the extent of poverty and food insecurity in rural areas.

²⁸¹ Para 2.4.1 of the RDP states that apartheid policies pushed millions of black South Africans into overcrowded and impoverished reserves, homelands and townships. In addition, capital

continues to escalate, resulting in a lack of the basic amenities of life. Furthermore, rural poverty is aggravated by a lack of access to productive resources such as water and arable land.²⁸²

Given that rural households depend on land-based livelihoods, any constraints on their livelihoods have dire consequences in the fight against food insecurity. In rural households the size of farms, access to irrigation water and the literacy level of the household head determine a household's welfare and are a possible pathway to reducing food insecurity.²⁸³ In the absence of non-farm activities, most households became vulnerable to food insecurity and hunger. This results in the unequal distribution of resources, with rural households being more prone to food insecurity than households in other settlements, which results in high poverty levels among black citizens, as indicated in Table 3 below.

TABLE 3-1: Poverty level by population group in the period 2009-2011



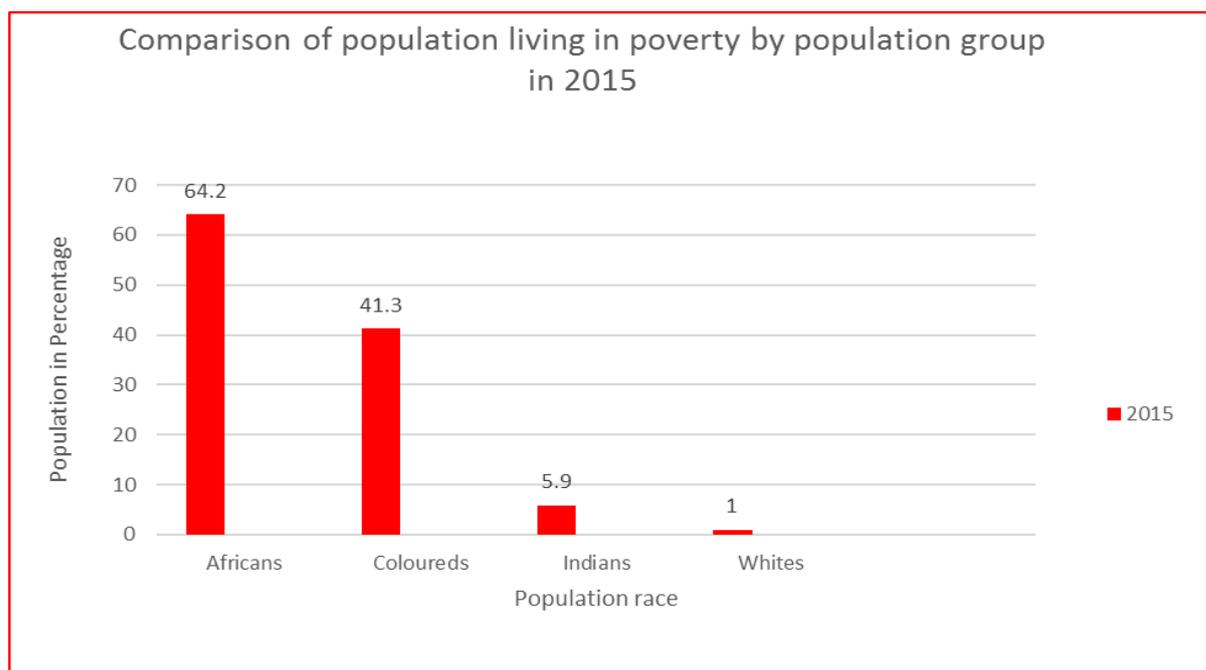
Source: Stats SA Poverty Trends Report, 2014: 27-28.

intensive agricultural policies led to the large-scale eviction of farm dwellers from their land and homes. See also McMurray and Van Rensburg 2004 *PER* 2-3.

²⁸² Aliber 2003 *World Development* 480.

²⁸³ Valipour 2015 *Appl Water Sci* 368.

TABLE 3-2: Poverty level by population group in the period 2015



Source: Stats SA LCS 2014/2015: 31; Stats SA Poverty Trends Report, 2017: 57-58.²⁸⁴

The statistics in Tables 3-1 and Table 3-2 reveal a disturbing poverty pattern, regardless of the fact that the majority of poor citizens especially in African households are social grant recipients.²⁸⁵ The most alarming fact is that Africans²⁸⁶ continue to be the most impoverished, despite a drop in the number of people living below the poverty line. The high poverty rate among Africans may also be attributed to high unemployment rates in the rural provinces, as indicated in Table 6-1 below. The major factors that contribute to poverty include isolation from the community, food insecurity, overcrowding in homes, reliance on dangerous energy sources, poorly paid jobs, splintered families and a lack of power to influence change, the discriminatory legacy of apartheid that led to high levels of adult illiteracy, homelessness and joblessness.²⁸⁷

²⁸⁴ The last Living Conditions Survey ("LCS 2014/2015") was conducted in the period 2014/2015 and the last Poverty Trends Report was released in 2017. The statistics in Table 3-2 are based on these two reports.

²⁸⁵ According to the GHS (2018) at 31, Black Africans that received social grants accounted 33.9% compared to 29,9% of coloured individuals, and 12,5% of Indian/Asian individuals. By comparison, only 7,5% of the white population received grants.

²⁸⁶ Refers to black South Africans in chapter 3.

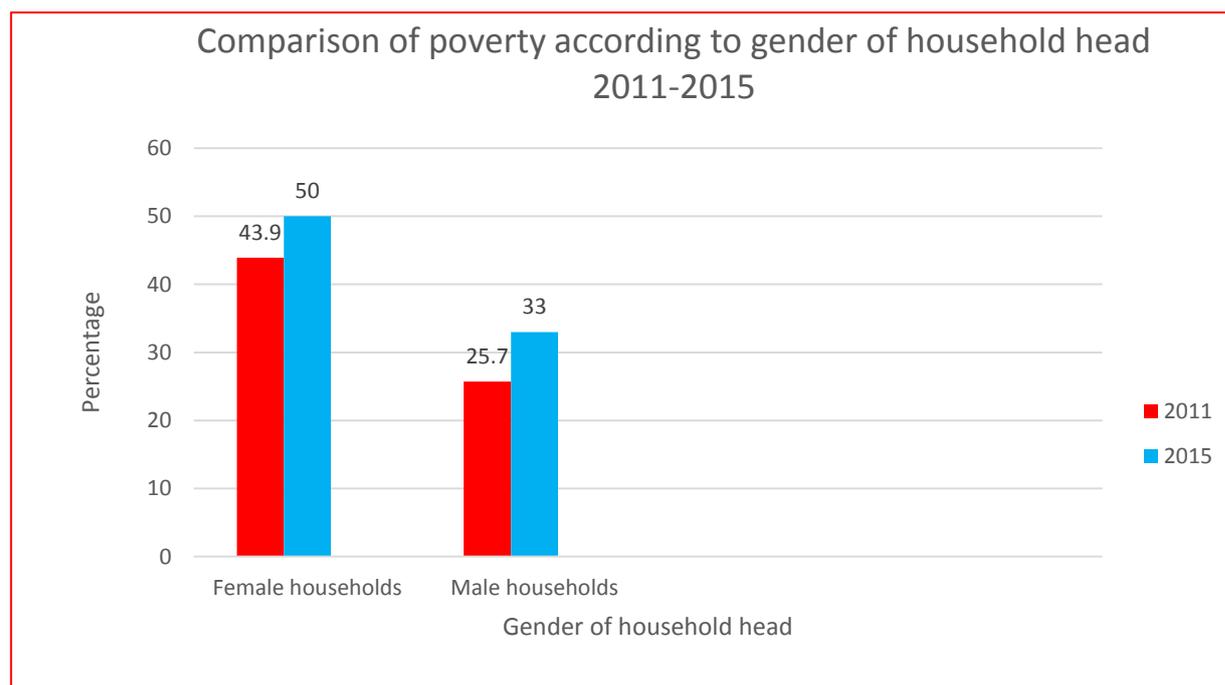
²⁸⁷ Lalthapersad-Pillay 2008 *Africa Insight* 18.

The next section examines gender inequality, unemployment and large families as factors that contribute to and perpetuate household poverty and food insecurity.

3.3.2.1 Gender inequality

Rural poverty is also worsened by the fact that females are generally unemployed in rural provinces, and are also the heads of the majority of households.²⁸⁸ This is illustrated in Table 4-1 below, where the number of female-headed households are compared to the number of male-headed households in order to show the prevalence of poverty.

TABLE 4-1: Poverty levels in female-headed and male-headed households



Source: Stats SA Poverty Trends Report, 2014: 40; Stats SA Poverty Trends Report, 2017: 78-79.

The above figures confirm the South African Labour Development Research Unit ("SALDRU") 1993 finding that female-headed households in rural areas were poor because there are few economic opportunities for females and there is

²⁸⁸ Aliber *Overview of the Incidence of Poverty in South Africa for the 10-Year Review 5.*

gender discrimination in wage levels.²⁸⁹ Moreover, the Living Conditions Survey ("LCS 2014/2015") results further indicate that during the survey period, using the upper-bound poverty line, 52.0% of females lived in poverty compared to 46.1% of males.²⁹⁰ Poverty levels in the rural areas are higher, with 67.4%% of the population living below the poverty line.²⁹¹ As a result of high poverty levels in rural areas and in female-headed households, most children in rural areas are poverty-stricken.²⁹² This results in most rural households having to rely on social grants for survival.²⁹³

3.3.2.2 Unemployment

The factors listed above by Lalthapersad-Pillay often lead to inequality in the distribution of wealth, with those who have the opportunity to access wealth being able to escape poverty. Labour is an asset that assists the chronically poor to escape poverty. The availability of employment opportunities is vital in reducing food insecurity.²⁹⁴ Poverty reduction strategies go beyond the provision of food and should be viewed within the context of employment, rural development and infrastructure development, among others.²⁹⁵ Hence, poverty reduction strategies should be all-encompassing and should consider both non-farm and on-farm activities to ensure a holistic approach to realising the right to have access to food. As indicated in Table 5-1 and Table 6-1, unemployment in South Africa has reached very high levels over the years, making it nearly impossible for some households to escape the poverty trap without direct government intervention.

²⁸⁹ Aliber *Overview of the Incidence of Poverty in South Africa for the 10-Year Review 3*.

²⁹⁰ LCS 2014/2015 13.

²⁹¹ LCS 2014/2015 17.

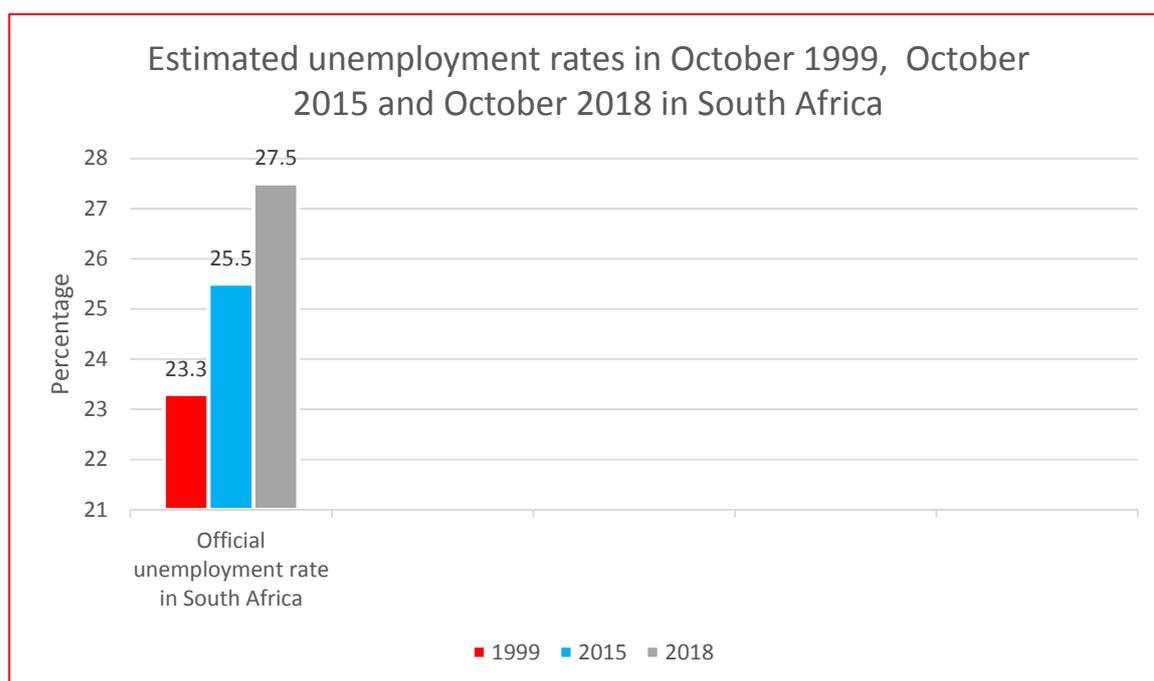
²⁹² Nkosi 2011 *SAPL* 89.

²⁹³ According to the GHS (2018) 30-31 rural households rely on social grants for most of their income.

²⁹⁴ Baulch *Why Poverty Persists: Poverty Dynamics in Asia and Africa* 256–260.

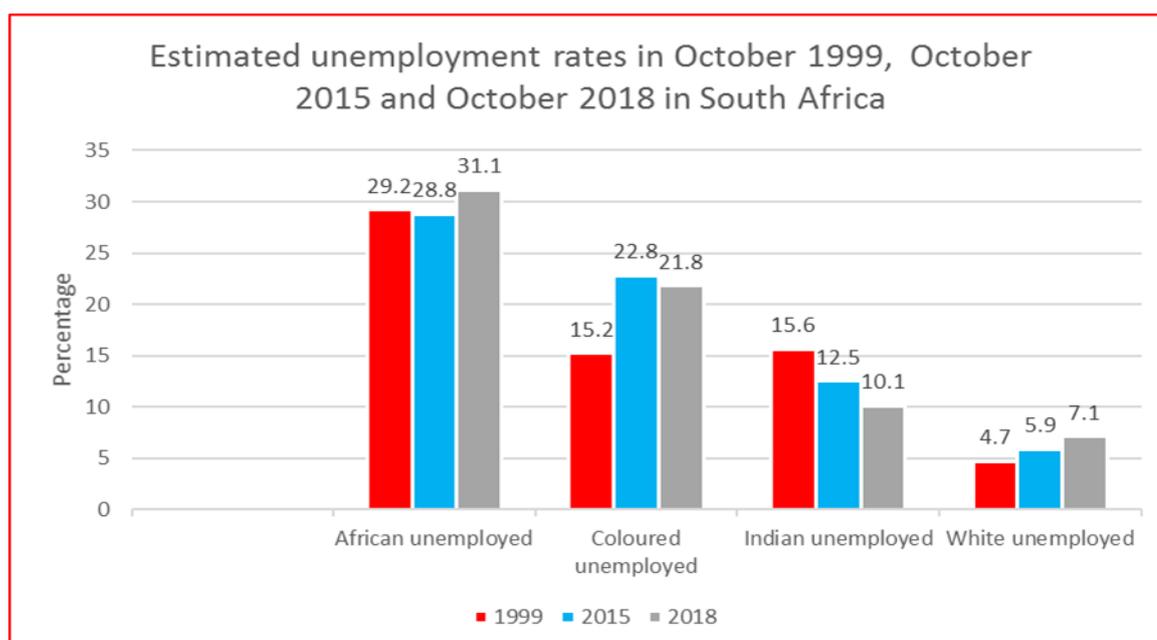
²⁹⁵ Phogole 2010 *AISA Policy Brief* 6.

TABLE 5-1: Unemployment rates in October 1999, 2015 and 2018



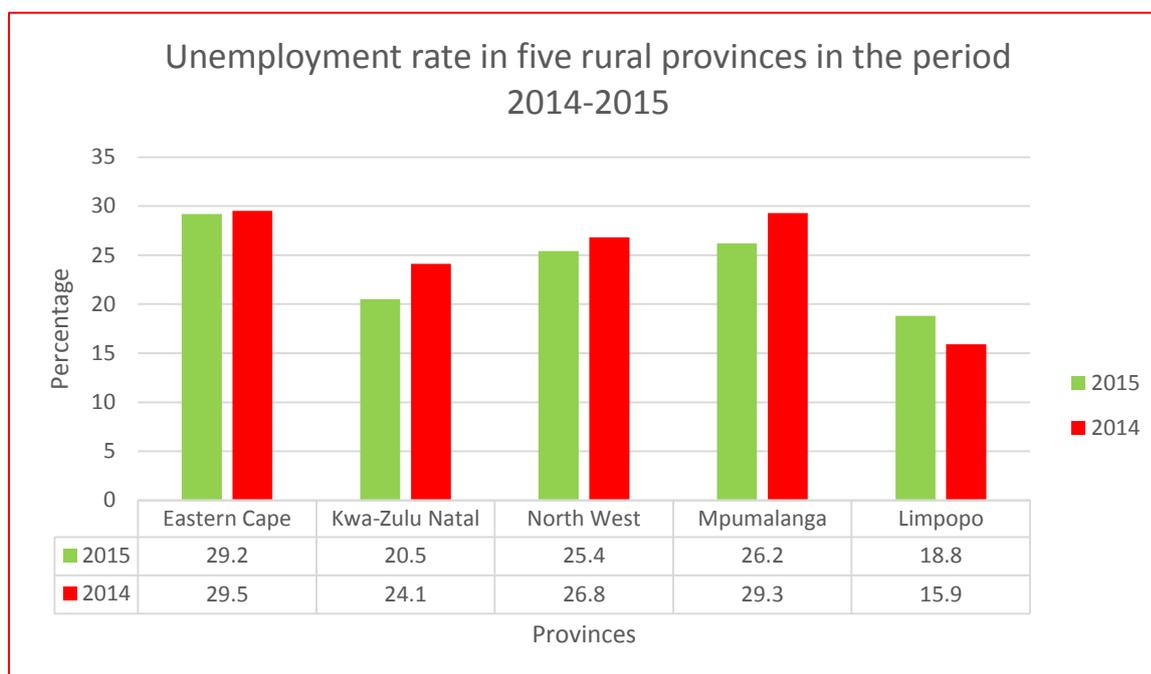
Source: Aliber 2003: 497; 1999 October Household Survey, 2015 and 2018 Quarterly Labour Force Survey Q3

TABLE 5-2: Unemployment by population groups October 1999, 2015 and 2018



Source: Aliber 2003: 497; 1999 October Household; 2015 and 2018 Quarterly Labour Force Survey Q3.

TABLE 6-1: Unemployment rate in rural provinces, Quarter 3 (2014 and 2015)



Source: Quarterly Labour Force Survey Q3 2014 and 2015.

The above figures are alarming for a middle-income country like South Africa, where most people live below the poverty line, as indicated in Table 3-1 and Table 3-2 above. About 13.7 million people in South Africa are unemployed, of a total population of 54 million people, according to the 2015 Mid-Year Population Estimates.²⁹⁶ These high levels of unemployment make it nearly impossible to join the labour market and also impact negatively on social assistance strategies because households with social grant recipients, especially pensioners, are often burdened by unemployed relatives who view the grant as a survival strategy.²⁹⁷ Most importantly, rural households' lack of non-farm activities means that social grants have become a source of income for many. Therefore, it is not surprising that, within the farming communities in the former homelands, grants have become a vital strategy in addressing socio-economic needs.²⁹⁸ Furthermore, these grants not only relieve socio-economic distress, but also perpetuate a

²⁹⁶ Statistics SA 2015 <http://www.statssa.gov.za/publications/P0302/P03022015.pdf>.

²⁹⁷ Van der Berg, Siebrits and Lekezwa *Stellenbosch Economic Working Papers* 19.

²⁹⁸ Pienaar and Von Fintel *Stellenbosch Economic Working Papers* 20.

reliance on resources outside of the labour market.²⁹⁹ These high levels of unemployment in the rural provinces mean that Africans, who are the largest population in such provinces, experience the highest levels of household poverty and food insecurity, as indicated in Table 3-2 above.

3.3.2.3 Large families

Households that gain more members are more likely to remain food insecure, especially where members are dependent on social grants.³⁰⁰ This does not mean that the effect of social grants in reducing food insecurity and in lessening the income gap is insignificant.³⁰¹ In a 2009 study, Aliber and Hart³⁰² noted that although social grants provide a major and regular income to rural households, they are relatively small, especially given that the average household comprises five persons.

There are many causes of poverty in South Africa, including unemployment, gender inequality and poor policy formulation, emanating from the apartheid era, which deprived the majority of black citizens of natural and capital resources. At the same time, after 20 years of democracy, the government should be able to effectively implement the existing short-term and long-term food security interventions that effectively address household poverty and enhance food insecurity, especially for the black population and female-headed households. The government should comply with its national and international commitments as envisaged in section 27(1)(b) of the *Constitution* and principle 3 of the Rome Declaration, 2009, by adopting long-term food security interventions that enable households to enjoy the right to food sovereignty. Finally, the government should ensure that the existing food security strategies are integrated into agrarian reform programmes to enable rural households, especially female-

²⁹⁹ Pienaar and Von Fintel *Stellenbosch Economic Working Papers* 21.

³⁰⁰ Baulch *Why Poverty Persists: Poverty Dynamics in Asia and Africa* 199.

³⁰¹ See Leibbrandt *et al OECD Social, Employment and Migration Working Papers* 60–66 for a further discussion of the effect of social grants in reducing household poverty.

³⁰² Aliber and Hart 2009 *Agrekon* 447.

headed households, to be active participants in food security strategies, such as subsistence farming, as envisaged in the CRDP and CAADP policies.

3.4 The role of socio-economic rights and food security interventions in South Africa

3.4.1 Introduction

As stated in paragraph 3.1 above, socio-economic rights are concerned with the social and economic wellbeing of individuals.³⁰³ One aim of socio-economic rights is to bridge the social disparities between the privileged and the poor.³⁰⁴ Socio-economic rights are those rights that has as their objective to improve the quality of life of individuals. In the discussion that follows, case law is used to illustrate the attributes of social grants and subsistence farming as strategies that can provide an effective solution to household food insecurity. The cases of *Mazibuko v City of Johannesburg* ("Mazibuko case") and *Government of the Republic of South Africa v Grootboom* ("Grootboom case") are analysed. The principles in these cases are used as a benchmark for ideal short-term and long-term food security interventions within the human rights framework envisaged in chapter 2 above. These cases are important because in South Africa, the right to have access to sufficient food is dependent of the government ability to fulfil its positive obligations as envisaged in section 7(2) and section 27(2) of the Constitution.

To this end, the courts adopt the reasonableness approach to determine whether the government has complied with or fulfilled its obligations in realising socio-economic rights.³⁰⁵ The Constitutional Court's decisions in *Mazibuko* and *Grootboom* cases present an ideal short-term and long-term food security strategy (namely social grants and subsistence farming) that needs to be adopted in realising the right to have access to food. In *Mazibuko* the court,

³⁰³ Khoza (ed) *Socio-Economic Rights in South Africa: A Resource Book* 20; see also Manamela 2004 *SAPL/PR* 165.

³⁰⁴ Liebenberg and Goldblatt 2007 *SAJHR* 335–361.

³⁰⁵ See para 3.4.5.2 of this thesis.

presented a workable strategy to realise the right to have access to water without recourse to a long-term policy.³⁰⁶ In *Grootboom*, the court adopted a viable long-term solution in the realisation of the right to have access to housing.³⁰⁷ Socio-economic rights and poverty alleviation

In order to give effect to the realisation of socio-economic rights the Bill of Rights makes provision for a framework upon which such rights may be realised.³⁰⁸ Socio-economic rights are also classified as qualified rights and unqualified rights. Qualified rights are those rights whose realisation is dependent on the state's available resources e.g. the right to have access to housing, health and access sufficient food. On the other hand, unqualified rights are the rights that oblige the state to ensure their realisation without having regard to its available resources e.g. the rights of children to basic nutrition, shelter, basic health care services and social services. According to Manamela³⁰⁹ Section 28 rights are intended to afford children a certain basic subsistence level of the same social and economic goods that are provided for in a more advanced form in sections 26 and 27 of the Constitution. In order to illustrate the importance of socio-economic rights as a poverty reduction strategy several case law is analysed.

3.4.2 *The right to have access to housing*

It is worth noting that in South Africa, courts are vested with enforcement of rights. In the case of *Japhtha v Schoeman and Others*³¹⁰ ("*Japhtha case*"), the court held that legislation permitting the sale of low cost housing in execution of

³⁰⁶ In *Mazibuko* para 76, the Constitutional Court held that "In most circumstances it will be reasonable for municipalities and provinces to strive first to achieve the prescribed (and, in the absence of a challenge, presumptively reasonable) minimum standard, before being required to go beyond that minimum standard for those to whom the minimum is already being supplied".

³⁰⁷ In *Grootboom* para 40, the Constitutional Court held that "Thus, a co-ordinated state housing programme must be a comprehensive one determined by all three spheres of government in consultation with each other as contemplated by Chapter 3 of the Constitution. It may also require framework legislation at national level, a matter we need not consider further in this case as there is national framework legislation in place".

³⁰⁸ See sections 24, 25, 26, 27, 28 and 29 of the Constitution.

³⁰⁹ Manamela 2004 *SAPL/PR* 165-168.

³¹⁰ 2005 (2) SA 140 (CC).

civil debts in circumstances that could render people homeless infringed section 26 of the Constitution.³¹¹ In the *Japha case* the court read in a 'provisio' in terms of section 66(1)(a) of the Magistrates' Court Act 32 of 1944 to provide that an execution creditor must first attach movable property before attaching immovable property to satisfy his debt.³¹²

In the *Grootboom* case, the court held that

"socio- economic rights must all be read together in the setting of the Constitution as a whole. The state is obliged to take positive action to meet the needs of those living in extreme conditions of poverty, homelessness or intolerable housing. Their interconnectedness needs to be taken into account in interpreting the socio-economic rights, and, in particular, in determining whether the state has met its obligations in terms of them".³¹³

In the case of *Minister of Public Works v Kyalami Ridge Environmental Association ("Kyalami case")*³¹⁴, about 300 people were left homeless by floods. The government decided to place them in a transit camp on state-owned land in Kyalami. The Association challenged the government's decision arguing that there was no legislation authorising the government to place the people in the said area. The Constitutional Court held that the provision of relief to victims of natural disasters is an essential role of government in a democratic state. Therefore, failure by the government to take steps would have resulted in a breach of its duty to the victims of the floods.³¹⁵

The above discussion indicates the important role that socio-economic rights play in ensuring that the less privileged and vulnerable members of the society are not deprived of their right to access basic resources and amenities of life.

³¹¹ *Japha* paras 25-27.

³¹² *Japha* para 62.

³¹³ *Grootboom* para 24.

³¹⁴ 2001 (3) SA 1151 (CC).

³¹⁵ *Kyalami* para 52.

3.4.3 *The right to have access to health care services, food, water and social security*

In *Minister of Health v Treatment Action Campaign ("TAC case")*³¹⁶, the Constitutional Court held that the government's failure to provide Nevirapine to pregnant mothers to prevent Mother-to-Child-Transmission of HIV/AIDS was a violation of the state's obligation to provide health care services and therefore unconstitutional in terms of section 27 of the Constitution.³¹⁷

Section 27(1)(b) of the Constitution provides for the right to have access to water. This entails that no one may interfere with existing water supplies to any person. In the case of *Residents of Bon Vista Mansions v Southern Metropolitan Local Council ("Bon Vista case")*³¹⁸, the court held that the disconnection of water supply would constitute a prima facie breach of the state's duty to respect people's right of access to water.

Section 27(1)(c) of the Constitution provides for the right to social security including social assistance to persons who are unable to support themselves and their dependants. In order to ensure the full realisation of the right to have access to social welfare, the *Social Assistance Act* was enacted to make provision of social grants.

Section 27(3) of the Constitution provides for the right to emergency treatment. Section 5 of the *National Health Act* provides that public and private health care providers or health establishments may not refuse anyone emergency medical treatment.

The above discussion illustrates the state's obligations to promote, respect and fulfil the rights in the Bill of Rights including the progressive realisation of socio-economic rights within its budgetary limits. Further that there is need for courts

³¹⁶ 2002 (5) SA 721.

³¹⁷ *TAC* para 39

³¹⁸ 2002 (6) BCLR 625 (W).

at times to decide on budgetary issues in order to ensure that the state complies with its constitutional obligations.

3.4.4 The right to have access to sufficient food as a socio-economic right

The right to have access to sufficient food in South Africa is entrenched in section 27(1)(b) of the Constitution which provides that "everyone has the right to have access to sufficient food and water". In section 28(1)(c) of the *Constitution*, a provision is made for the right of every child to basic nutrition. As a result, the state has an obligation to ensure the proper realisation of the right to have access to sufficient food.

Despite having the right to have access to sufficient food entrenched in the *Constitution*, South Africa has made international commitments with regard to the realisation of the right to food. South Africa has ratified the International Covenant on Economic, Social, and Cultural Rights (ICESCR).³¹⁹ It has ratified the Universal Declaration on Human Rights (UDHR)³²⁰ and the Convention on the Rights of the Child (CRC). In 2000, South Africa adopted the United Nations

³¹⁹ Article 11(1) of the ICESCR provides that

"states parties to the present Covenant 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 States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent. Article 2 provides that states parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international cooperation, the measures, including specific programmes, which are needed:

- (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
- (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need".

³²⁰ Article 25 of the UDHR provides that everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food,

Millennium Declaration, which set out the Millennium Development Goals (MDGs), and in 2009, it adopted the Rome Declaration of the World summit on Food Security (Rome Declaration). South Africa is also a state party to the 2030 Agenda.

The right to have access to sufficient food is a constitutional entrenched right and a self-standing right.³²¹ Furthermore, to ensure the proper realisation of the right to have access to sufficient food, the *Constitution* establishes the South African Human Rights Commission ("SAHRC")³²², which has as its main purpose to monitor the realisation of human rights. The SAHRC is charged with ensuring that relevant state organs comply with its obligations to ensure the proper realisation of socio-economic rights by requiring information on measures taken to realise such rights.³²³ Moreover, the monitoring duties of the SAHRC are meant to galvanise organs of the state by exposing shortcomings while highlighting the government's successes in the implementation of socio-economic rights.³²⁴

Similarly, to all socio-economic rights the right to have access to sufficient food require the state to take reasonable legislative measures to realise this right.³²⁵ Most importantly, these measures should conform to a certain acceptable standard. According to Liebenberg and Goldblatt

"an approach to the interpretation of equality and socio-economic rights that acknowledges the interrelationship between these rights is also more likely to be responsive to the reality that the most severe forms of disadvantage are usually experienced as a result of an intersection between group-based forms of discrimination and socio-economic marginalisation".³²⁶

The argument advanced by Liebenberg and Goldblatt is critical in realising the right to have access to sufficient food because more often the claimants in socio-

³²¹ Section 27(1)(b) of the Constitution; see also Brand "The right to food" 157-188 on the difference between the state's duties to realise the right to food at international law and the right to have access to sufficient food as it prevails in South Africa.

³²² Section 184 of the Constitution.

³²³ Section 184(3) of the Constitution.

³²⁴ Ntlama 2004 *Law, Democracy & Development* 209.

³²⁵ Khoza (ed) *Socio-economic Rights in South Africa: A Resource Book* 30-42.

³²⁶ Liebenberg and Goldblatt 2007 *SAJHR* 339.

economic rights have an interest that deserves protection.³²⁷ To this end, such interest require that the government adopt legislative and other measures to fulfil it. Liebenberg and Quinot³²⁸ argue that the urgency and intensity of the interest determines whether the policy and its implementation is appropriate and reasonable under the circumstances. This reasonableness lies in the appropriateness of the response by the government taking into account the socio-economic interest concerned. Using the reasonableness test as set out in the *Grootboom* case³²⁹, a court would determine whether the government policy is appropriate, if it is then it is reasonable and if not, it infringes on the socio-economic right in question.³³⁰ Such an approach to the interpretation of socio-economic rights acknowledges both the negative and positive duties that such rights impose on the state to create a conducive environment for their progressive realisation.

Liebenberg³³¹ observes that the holistic framework as entrenched in section 7(2) of the *Constitution* brings about a substantive and contextual approach in realising socio-economic rights and require a combination of both negative and positive duties in protecting, promoting and fulfilling such rights. Brand³³² argues that the duties imposed by socio-economic rights emanate from their formulation especially where such rights are qualified. Hence, the need for the reasonableness test to determine whether the state's response in realising such rights is constitutionally valid.³³³ Furthermore, the issue of availability of resources require that the state indicate that its efforts to realise socio-economic rights is constrained by budgetary issues. Therefore, it suffices to argue that the standard set out also applies in the realisation of the right to have access to sufficient food. The principles as set in *Grootboom* only present a workable

³²⁷ Liebenberg and Quinot Law and Poverty: Perspectives from South Africa and Beyond 231.

³²⁸ Liebenberg and Quinot Law and Poverty: Perspectives from South Africa and Beyond 231-232.

³²⁹ See *Grootboom* para 38-46 and para 3.4.1.2 of this thesis below.

³³⁰ Liebenberg and Quinot Law and Poverty: Perspectives from South Africa and Beyond 233-237.

³³¹ Liebenberg Socio-economic Rights: Adjudication under a Transformative Constitution 82-87.

³³² Brand "Introduction to the socio-economic rights in the South African Constitution" 3-4.

³³³ Brand "Introduction to the socio-economic rights in the South African Constitution" 26-30.

progressive standard that serves as a benchmark for the state to ensure adequate realisation of socio-economic rights.

In adhering to the principles set out in *Grootboom*, it does not entail that the state should delay in adopting measures to secure access to socio-economic rights.³³⁴ In respect of the realisation of the right to have access to sufficient food, short-term and long-term measures are of necessity to ensure its progressive realisation. For instance, social grants present a viable short-term and immediate measure to secure access to food for the extremely poverty-stricken households.³³⁵ While subsistence farming presents a viable long-term measure aimed at poverty reduction at household level.³³⁶ Selected cases are analysed in the next paragraphs, according to the specific rights, to illustrate the importance of socio-economic rights as a food security strategy.

3.4.4.1 *Mazibuko v City of Johannesburg*³³⁷

The *Mazibuko* case concerned the plight of five applicants³³⁸ from Phiri, Soweto, who challenged the water policy (Operation Gcin'amanzi, loosely translated as "to save water") of the City of Johannesburg (the first respondent).³³⁹ In terms of this policy, prepaid water meters were to be introduced, among other measures. If Phiri residents consumed more than the free basic water allowance of 6 kilolitres per month, they would have to pay for the excess. The applicants alleged that their right of access to sufficient water as contemplated in section 27(1)(b) of the *Constitution*, read with section 11 of the *Water Services*, would be violated. There were two main issues that arose in this case, namely:

³³⁴ McMurray and van Rensburg 2004 *PER* 12.

³³⁵ Armstrong and Burger *Stellenbosch Economic Working Papers* 11.

³³⁶ Aliber and Hart 2009 *Agrekon* 435.

³³⁷ 2010 4 SA 1 (CC).

³³⁸ *Mazibuko* paras 4–7.

³³⁹ The first and second respondents were the City of Johannesburg (the City) and Johannesburg Water (Pty) Ltd (Johannesburg Water), a company wholly owned by the City that provides water services to the residents of the city. The third respondent was the National Minister for Water Affairs and Forestry (the Minister). The Centre on Housing Rights and Evictions was admitted as amicus curiae.

- Whether the City's policy in relation to the supply of free basic water, and particularly its decision to supply only 6 kilolitres of free water per month to every account holder in the city (the Free Basic Water policy) was in conflict with section 27(1)(b) of the *Constitution* or section 11 of the *Water Services Act*;
- Whether the installation of pre-paid water meters in Phiri by the first and second respondents was lawful.

The Constitutional Court held as follows on the first issue. O'Reagan J (as she then was) held that the state bears a duty to refrain from interfering with social and economic rights, just as it must refrain from interfering with civil and political rights.³⁴⁰ The court held further that section 27(1)(b), the right to have access to sufficient water, together with section 27(2), make it clear that the right to have access to sufficient water does not require the state to provide every person with sufficient water on demand. The state is required to take reasonable legislative and other measures progressively, within its available resources, to realise the right to have access to sufficient water.³⁴¹

The court also held that social and economic rights were constitutionally entrenched to ensure that the state continues to take reasonable legislative and other measures progressively to realise the rights to the basic necessities of life. Therefore, the court held that the concept of reasonableness placed context at the centre of the enquiry and permitted an assessment of context to determine whether a government programme was indeed reasonable. The court found that it was institutionally inappropriate for a court to determine precisely what the achievement of any particular social and economic right entailed and what steps government should take to ensure the progressive realisation of the right. The court deemed this a usurpation of the functions of the legislature and the

³⁴⁰ *Mazibuko* para 47.

³⁴¹ *Mazibuko* paras 48–50.

executive; and held that such an encroachment would undermine the democratic accountability of the state in relation to social and economic rights.³⁴²

In respect of regulation 3 of the National Water Standards Regulations, the court held that the minimum standard set by the Minister informed citizens about what the government sought to achieve. Regulation 3(b) of the National Water Standards Regulations stated that the minimum standard for basic water supply services was 25 litres per person per day or 6 kilolitres per household per month. The court held that this minimum standard for basic water supply was the basis of the policy adopted by the City and Johannesburg Water. This enabled citizens to monitor government's performance and to hold it accountable politically if the standard was not achieved, and also empowered citizens to hold government accountable through legal challenges if the standard set was unreasonable.³⁴³

The court adopted an approach similar to that adopted in the *Grootboom* case,³⁴⁴ rejecting the minimum core approach and reasoning as follows:³⁴⁵ the constitutional obligation imposed upon government by section 27(2) is to take reasonable legislative and other measures to achieve the right. If national government legislates a national minimum such national standards must be adhered to and will pass the constitutional test. The court also held that the *Constitution* envisaged that legislative and other measures will be the primary instrument for the achievement of social and economic rights. This placed a positive obligation upon the state to respond to the basic social and economic needs of the people by adopting reasonable legislative and other measures. By adopting such measures, the rights set out in the *Constitution* acquired content, and that content was subject to the constitutional standard of reasonableness.³⁴⁶

³⁴² *Mazibuko* paras 59–61.

³⁴³ Paras 69–71.

³⁴⁴ See *Grootboom* below at para 3.4.2.2.

³⁴⁵ Pieterse 2006 *SAJHR* 473 argues that the basis of the minimum core is that no person should be allowed to live below the minimum levels of socio-economic subsistence, regardless of the state's resources. He further states that the minimum core of a right represents a "floor" of immediately enforceable entitlements from which progressive realisation should proceed.

³⁴⁶ *Mazibuko* paras 59–66.

In relying on the *Grootboom* approach in rejecting the minimum core approach the court reasoned that it was not possible to determine the minimum threshold for the progressive realisation of a socio-economic right without identifying the needs and opportunities for the enjoyment of such a right.³⁴⁷ The court viewed the realisation of the right to have access to sufficient water as satisfying the minimum needs of those who could not afford to pay for water and within a minimum context. Therefore, this right can be realised only if the government has the resources to do so and taking into account the dire needs of those who are entitled to such socio-economic entitlements.

The court held further that where legislation has been enacted to give effect to a right, a litigant should rely on that legislation in order to give effect to the right or alternatively to challenge the legislation as being inconsistent with the *Constitution*.³⁴⁸ The court's approach in the *Mazibuko* case reveals two aspects of the realisation of socio-economic rights: the state should take measures (both short-term and long-term) to ensure the enjoyment of these rights, and the measures adopted by the state should at least meet the minimum rights of citizens.

In relating the court's judgment in *Mazibuko* to social grants, the government should consider the target group that needs to benefit from such food security interventions. Social grants are meant for those living in dire poverty and who require immediate relief. Such interventions are protective in character and are meant to prevent poverty-stricken individuals and households from falling into deeper poverty (by reducing household poverty and ensuring minimal food security).³⁴⁹ To illustrate the importance of social grants: the 2014/15 First Quarter Statistical Report on Social Grants³⁵⁰ states that the grants in aid increased from 83,059 to 88,666 from the beginning of April 2014 to the end of June 2014, indicating that the target group of those in need received the requisite assistance.

³⁴⁷ *Grootboom* para 32.

³⁴⁸ *Mazibuko* para 73.

³⁴⁹ Devereux and Sabates-Wheeler *IDS Working Paper No 232* 10.

³⁵⁰ Sassa 2014/15 <http://bit.ly/1N6dkZT>.

The above example is consistent with the court's finding in the *Mazibuko* case that national government should clearly set the targets it wishes to achieve in respect of social and economic rights.³⁵¹ However, minimal a government intervention towards reducing food insecurity may be, it should achieve its intended goal. In light of the court's finding, legislative frameworks aimed at reducing food insecurity should set out interventions, however minimal, to address household food insecurity. The *Social Assistance Act* is the appropriate legislative framework to address immediate food security needs, because social grants have a three-pronged purpose:³⁵² "to reduce poverty, to prevent people from falling into poverty, and to help people to cope with poverty".

The above purposes are aligned with the objective of the *Social Assistance Act*, which is to ensure that social assistance for individuals and households that are unable to support themselves, by making available a variety of social assistance grants that enable the most vulnerable members of the community to enjoy a minimum level of sustenance.³⁵³ Therefore, the *Social Assistance Act* is a formidable platform that enables the government to realise the right to have access to sufficient food in its basic form and to achieve its goal of ensuring that food security interventions cater for both short-term and long-term food security needs. Social assistance measures aimed at reducing food insecurity clearly seek to address the immediate food security needs of households rather than prolong the plight of such households.

3.4.4.2 *Government of the Republic of South Africa v Grootboom*³⁵⁴

Mrs Grootboom and most of the other respondents lived in an informal settlement called Wallacedene. Wallacedene is located in the jurisdictional area of the Oostenberg municipality, which is in the Cape Town Metropolitan municipality. Most of the residents of Wallacedene lived in deplorable conditions. Most of the respondents were poor and unemployed. About half the population

³⁵¹ *Mazibuko* paras 69–70.

³⁵² Lalthapersad-Pillay 2008 *Africa Insight* 18.

³⁵³ Section 4 of the *Social Assistance Act* 13 of 2004.

³⁵⁴ 2001 1 SA 46 (CC).

were children; all lived in shacks. They had no water, sewage or refuse removal services, and only a few shacks had electricity. The area in which the respondents lived was prone to flooding. The respondents moved to a vacant piece of land that had better drainage because they had been on the low-cost housing waiting list for years.³⁵⁵ In the *Grootboom* case two main issues arose, namely:³⁵⁶

- Whether the state has an obligation to provide adequate basic temporary shelter or housing to the respondents and their children pending their obtaining permanent accommodation; and
- Whether the state has an obligation to provide basic nutrition, shelter, health care and social services to the respondents and their children.

The above issues centred on the obligation that section 26 of the *Constitution* imposes on the state. The respondents contended that section 26 places an obligation on the state to provide adequate housing. The court per Yacoob J (as he then was) had to analyse the provisions of section 26 in relation to article 11.1 of the ICESCR.³⁵⁷ The amici had contended that the ICESCR was important because article 11.1 imposed a minimum core obligation on the state to provide shelter for the respondents and their children.³⁵⁸

In rejecting the minimum core obligation as imposed by the ICESCR the court held that in terms of the ICESCR a state party must demonstrate that every effort has been made to use all the resources at its disposal to satisfy the minimum core of the right.³⁵⁹ The court held that, since this minimum core level is not clear, it would present difficulties if applied in terms of section 26 of the *Constitution* because the needs in the context of access to adequate housing are

³⁵⁵ *Grootboom* paras 4–12.

³⁵⁶ *Grootboom* para 13.

³⁵⁷ *Grootboom* paras 19–33.

³⁵⁸ *Grootboom* para 18.

³⁵⁹ *Grootboom* para 30.

diverse: some need land, others need both land and houses and others need financial assistance.³⁶⁰

In laying a basis for its rejection of the minimum core approach the court held that a right of access to a socio-economic right should be discharged within the ambit of the existing state policies.³⁶¹ State policies should inform the claimants about the extent to which the government is obligated to make available the entitlements envisaged by a particular socio-economic right. In determining whether or not the government's policy on housing complied with the provisions of section 26(2) of the *Constitution*, the court held that a government policy or programme aimed at the realisation of socio-economic rights, in particular the right to have access to adequate housing, must comply with the requirements listed below before it can be considered reasonable:³⁶²

- A reasonable programme must clearly allocate responsibilities and tasks to the different spheres of government and must ensure that the appropriate financial and human resources are available.
- A co-ordinated state housing programme must be comprehensive, determined by all three spheres of government in consultation with each other as contemplated by Chapter 3 of the *Constitution*. This principle is vital since the implementation of socio-economic programmes take place within the local sphere of government.
- Reasonable measures and programmes must be considered in their social, economic and historical context.
- The measures must establish a coherent public housing programme directed towards the progressive realisation of the right to have access to adequate housing within the state's available means. The programme must be capable of facilitating the realisation of the right.

³⁶⁰ *Grootboom* para 33.

³⁶¹ *Grootboom* para 35.

³⁶² *Grootboom* paras 38–46.

- The programme must also be reasonably implemented.
- The programme must be balanced and flexible, and must make appropriate provision for attention to housing crises and for short-, medium- and long-term needs. It must cater for the socio-economic needs of the most vulnerable and poverty-stricken members of society. Those in dire need must be given priority in the realisation of socio-economic rights.
- A reasonable programme must be assessed within the available resources of the state.

The above principles establish a benchmark wherein socio-economic needs should be contextualised as long-term needs that require consistent policy reform to meet the demands of those in need. Hence, the court found that the government had acted reasonably in the circumstances and within the ambit of section 26 of *Constitution*, as the section does not provide that the state must provide shelter and housing on demand.³⁶³ The section only places an obligation on the state to devise, fund, implement and supervise measures to provide relief to those in desperate need.³⁶⁴ The principles established in the *Grootboom* decision are important in assessing whether or not legislative frameworks and other "measures" effectively reduce household food insecurity in the context of section 27(1)(b) of the *Constitution*.

The *Grootboom* decision does not dwell on the government's ability to satisfy the immediate social wellbeing of individuals. Instead, the court viewed the realisation of socio-economic rights as an ongoing process that requires coordinated policies and proper implementation. In relation to reducing food insecurity at household level, the *Grootboom* decision draws on the notion of sustainable livelihoods and food sovereignty.³⁶⁵ The basis for this comparison is the fact that for the poor to enjoy sustainable livelihoods and food sovereignty

³⁶³ *Grootboom* paras 80–95.

³⁶⁴ *Grootboom* paras 96–97.

³⁶⁵ See link between the Mazibuko and *Grootboom* cases in para 3.4.1 of this thesis.

the government should formulate policies that give effect to these two concepts. Hence, policies operate through institutions to influence people's choice of livelihood strategies.³⁶⁶ Either a policy can promote sustainable livelihoods by being pro-poor or it can perpetuate the plight of the poor by marginalising the needs of the poor.³⁶⁷ In relation to promoting food security with specific reference to the realisation of the right to have access to food, a pro-poor policy would provide an enabling environment for realising sustainable livelihoods.

A livelihood is "sustainable when it can cope with and recover from stresses and shocks, maintain or enhance its capabilities and assets both now and in the future, while not undermining the natural resource base".³⁶⁸ Accordingly, a livelihood comprises the capabilities, assets (including both material and social resources) and activities required for a means of living.³⁶⁹ A policy aimed at reducing food insecurity must therefore include long-term interventions (such as subsistence farming) that aim to bring about livelihood priorities such as food security. Therefore, with reference to the *Grootboom* decision, which views the realisation of socio-economic rights as an ongoing process, one can conclude that for the right to have access to sufficient food to be properly realised, long-term interventions that will cater for future food needs are required. Policies that aim to give effect to the right to have access to sufficient food should consider the ability of households to sustain their food production capacity and to remain food secure.

These policies should give effect to food sovereignty, which is the right of people to healthy and culturally appropriate food, produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems through peasant- and family-driven agriculture.³⁷⁰ In summary, the policy framework envisaged in the *Grootboom* case should enable households to

³⁶⁶ Shankland 2000 *IDS Research Report* 10–14.

³⁶⁷ Windfuhr and Jonsén *Food Sovereignty: Towards Democracy in Localized Food Systems* 25–27.

³⁶⁸ Scoones 1998 *IDS Working Paper* 5. Scoones adapted the definition of sustainable livelihood by Chambers and Conway 1991 *IDS Working Paper* 6.

³⁶⁹ Scoones 1998 *IDS Working Paper* 5.

³⁷⁰ Nyeleni Declaration (2007) 1.

not only deal with immediate food needs, but also to access resources such as land and water and intangible assets, such as technological expertise, that will enable such households to enhance food security in the long term.

3.4.4.3 Implication of the cases for the right to have access to food

The above discussion makes it clear that, like all socio-economic rights such as the right to have access to housing, the right to have access to health care services among others, the right to have access to sufficient food in South Africa is a justiciable human right that requires the state to adopt a human rights-centred approach in its realisation. Legislative frameworks aimed at realising the right to have access to sufficient food should reflect principles of good governance, such as transparency, accountability and inclusive participation by those who are directly affected by food insecurity.³⁷¹ Hence, like all socio-economic rights, the right to have access to sufficient food requires the state to take reasonable legislative measures to realise this right.³⁷² Most importantly, these measures should conform to a certain acceptable standard, which should take account of the interrelationship between the right to equality and socio-economic rights, in order to acknowledge the reality that the most severe forms of discrimination are the result of socio-economic marginalisation.³⁷³ The poor are more likely to suffer injustice if government policies do not cater for their specific needs.

3.5 Food specific legislative frameworks: Food security interventions in South Africa

In order to reduce the inequality caused by food insecurity, the South African government has adopted numerous legislative frameworks since 1994. The primary purpose of these legislative frameworks is to give effect to the right to

³⁷¹ See paras 2.2, 2.3.2 and 2.3.3 of this thesis on the importance of good governance in the implementation of food security interventions.

³⁷² Khoza (ed) *Socio-Economic Rights in South Africa: A Resource Book* 30–42.

³⁷³ Liebenberg and Goldblatt 2007 *SAJHR* 339.

have access to sufficient food and the eradication of food insecurity in South Africa.

The most important and relevant frameworks and policies for the purposes of this study are:

- The Reconstruction and Development Programme, 1994 (RDP)³⁷⁴
- The Integrated Sustainable Rural Development Strategy, 2000 (ISRDS)³⁷⁵
- The Comprehensive Rural Development Programme Framework, 2009 (CRDP)
- The White Paper for Social Welfare, 1997 (White Paper)³⁷⁶
- The *Social Assistance Act*
- The Zero Hunger programme, 2012
- The Integrated Food Security Strategy for South Africa, 2002 (IFSS)³⁷⁷
- The *South African Social Security Agency Act*
- The *Constitution of the Republic of South Africa*, 1996³⁷⁸
- The National Development Plan, 2030 (NDP 2030)³⁷⁹

³⁷⁴ White Paper on Reconstruction and Development, Government Gazette 16085, Notice 1954, 23 November 1994.

³⁷⁵ Integrated Sustainable Rural Development Strategy (17 November 2000) <http://www.info.gov.za/otherdocs/2000/isrds.pdf>.

³⁷⁶ The White Paper for Social Welfare, August 1997.

³⁷⁷ The National Policy on Food and Nutrition Security for the Republic of South Africa, 2013 is referred to in para 5.2.3 of this thesis because it is important in the promotion of subsistence farming as food security strategy and its reference is logically linked to issues of making productive land available in realising the right to have access to sufficient food.

³⁷⁸ It should be noted that the *Constitution* is not an Act of Parliament; however, the author included it for the sake of convenience.

³⁷⁹ The NDP 2030 is discussed throughout the thesis because it presents South Africa's detailed framework on poverty eradication but more specifically in para 5.2.3.2 of this thesis.

The right to have access to sufficient food is a nationally and internationally recognised right, and the state is obliged to ensure compliance with its international commitments and obligations to give effect to the right to have access to sufficient food by adopting measures to ensure its proper realisation.³⁸⁰

3.5.1 The Reconstruction and Development Programme, 1994

When South Africa became a democratic state, numerous laws, policies and programmes aimed at social upliftment were adopted and implemented.³⁸¹ A prominent programme that gave effect to social and economic development was the Reconstruction and Development Programme, 1994 ("RDP"). The central aim of the RDP was to ensure that the quality of life of all South Africans was improved.³⁸² The RDP laid down guidelines to address socio-economic problems such as the equitable distribution and allocation of natural resources,³⁸³ developing the economy and job creation, improving living conditions through better access to basic physical and social services, health care, education and training for urban and rural communities, and establishing a social security system and other safety nets to protect the poor, the disabled, the elderly and other vulnerable groups.³⁸⁴

The problems that the RDP sought to address have a direct impact on the sustainable livelihoods of households and individuals and have the potential to plunge households into food insecurity. Hence, one principle of the RDP was to create an integrated and sustainable programme that would cater for the needs of the most marginalised members of the society and those previously disadvantaged by apartheid policies, to ensure that social and economic disparities were eradicated.³⁸⁵ Policies aimed at bettering the lives of citizens and poverty alleviation had to cater not only for the physical needs of citizens but

³⁸⁰ See Chapter 2 of this thesis for a detailed analysis and discussion on the right to food at international level and the obligations imposed on signatory states in realising the right to food at national level.

³⁸¹ Raewyn and Govender 2001 *SAJELP* 39.

³⁸² RDP paras 1.4 and 2.

³⁸³ RDP para 2.10.2.1.

³⁸⁴ RDP paras 2.2.4.2–2.2.4.4.

³⁸⁵ RDP para 1.3.2.

also had to ensure that interventions sought to establish sustainable livelihoods. Among the priority areas that the RDP intended to address were nutrition and social welfare.³⁸⁶

These two areas required policies and legislative frameworks to ensure their realisation, as well as a coordinated policy that would cater for their short-term and long-term realisation, taking into account the varied needs of those affected by food insecurity. The RDP adopted a human rights approach in addressing these socio-economic needs that have a direct impact on the realisation of the rights of access to sufficient food, by considering the fact that rights are interrelated and mutually reinforcing. Hence, the RDP's goal "was to eradicate poverty and deprivation by eliminating hunger, providing land and housing, providing access to safe water and sanitation, ensuring the availability of affordable and sustainable energy sources, eliminating illiteracy, raising the quality of education and training for children and adults, protecting the environment, and improving health services".³⁸⁷ In so doing, the RDP was fashioned to comply with the prevailing international law and regional law standards as set out in the Universal Declaration on Human Rights, 1948, the ICESCR, the Convention on the Rights of the Child, the African Charter on Human and Peoples' Rights, 1984, the Convention on Biological Diversity (CBD), 1992 and many more. This is also apparent from the legislative framework that was promulgated after the RDP.

The two priority areas, namely nutrition and social welfare, had a direct effect on the realisation of the right to have access to food, and this entailed the development of a fair and non-discriminatory social security³⁸⁸ and social welfare system catering for all citizens.³⁸⁹ Social security as it existed prior to 1994 had to be revamped since the system had catered largely for the needs of whites.³⁹⁰

³⁸⁶ RDP para 2.2.5.

³⁸⁷ RDP para 2.1.2.

³⁸⁸ The term "social security" for the purposes of this study refers to social assistance and related programmes. For a detailed explanation of what constitutes social security, see chapter 4 of this thesis below.

³⁸⁹ RDP paras 2.13.1–2.13.2.

³⁹⁰ Goldblatt 2009 *SAJHR* 443.

The social security system was extended to all South African citizens, including permanent residents.³⁹¹ Section 27(1)(c) of the *Constitution* provides that everyone has the right to have access to social security, including, if they are unable to support themselves and their dependants, appropriate social assistance. The state must ensure that no one is deprived of their basic needs, including food, due to their impoverished conditions. To ensure the realisation of the objective of section 27(1)(c) of the *Constitution*, the White Paper for Social Welfare was adopted in 1997 ("White Paper") with a vision to develop a welfare system that would facilitate the development of human capacity and self-reliance within a caring and enabling socio-economic environment.³⁹² One goal in the White Paper was to facilitate the provision of appropriate developmental social welfare services to all South Africans, especially those living in poverty, those who are vulnerable and those who have special needs.³⁹³ This meant that the state had an obligation to develop an all-encompassing social welfare system that included a structured social security and social assistance system.

According to the RDP, social welfare includes the right to basic needs, such as shelter, food, health care, work opportunities, income security and all those aspects that promote the physical, social and emotional wellbeing of all people in our society, with special provision made for those who are unable to provide for themselves because of specific problems.³⁹⁴ As stated in the RDP, social welfare encapsulates both social assistance and social security.³⁹⁵ Chapter 2 of the White Paper includes various principles, including the securing of basic welfare rights, that reiterate the provisions of section 27(1)(c) of the *Constitution*. In addition,

³⁹¹ *Khosa v Minister of Social Development* 2004 6 SA 505 (CC) para 80.

³⁹² White Paper for Social Welfare Chapter 2 para 1.

³⁹³ White Paper for Social Welfare Chapter 2 para 7.

³⁹⁴ RDP para 2.13.3.

³⁹⁵ See section 27(1)(c) of the *Constitution*, which provides that everyone has the right to have access to social security, including, if they are unable to support themselves and their dependants, appropriate social assistance. For a further discussion of the concept of social security, see Olivier "The Concept of Social Security" 23–47.

paragraph 44 of the White Paper defines social security as a programme of social assistance with a uniform social grant system.³⁹⁶

Chapter 7 of the White Paper provides a wider definition of social security that includes a wide variety of public and private measures that provide cash or in-kind benefits or both. These benefits are made available, firstly, "if an individual's earning power permanently ceases or is interrupted or never develops, or is exercised only at unacceptable social cost and such person is unable to avoid poverty and, secondly, in order to maintain children".³⁹⁷ Accordingly, a cursory glance at the White Paper reveals that the essence of social security is poverty prevention, poverty alleviation, social compensation and income distribution. The White Paper provides for a social assistance system with a variety of social grants aimed at reducing food insecurity. Social grants play a vital role in promoting food security, especially in rural areas, by ensuring that households do not fall into chronic food insecurity.³⁹⁸

The RDP has set a sustainable platform for realising all socio-economic rights, including the right to have access to sufficient food. Hence, in realising the right to have access to sufficient food and in considering any interventions aimed at alleviating food insecurity at household level, the provisions of the RDP are important. The RDP sets a benchmark for what an ideal legislative framework aimed at reducing food insecurity should encompass and, furthermore, the RDP views poverty alleviation as requiring a human rights approach, which means that the notion of the interdependence of rights in the implementation of food security interventions is vital.³⁹⁹

³⁹⁶ Chapter 2, para 44 (a)–(h) of the White Paper.

³⁹⁷ Chapter 7, para 1 of the White Paper for Social Welfare.

³⁹⁸ Chapter 7, para 6 of the White Paper for Social Welfare; see also tables 2–6 of this thesis on the patterns of poverty in rural areas.

³⁹⁹ See paras 2.1 and 2.2 of this thesis above on the importance of a human rights approach in realising the right to food.

3.5.2 The Comprehensive Rural Development Programme, 2009 and the Medium-Term Strategic Framework, 2009–2014

As discussed in paragraph 3.5.1 above, the main aim of the RDP was to meet the basic needs of all citizens. In order to achieve this objective, legislative measures had to be in place to realise a variety of basic needs, including in the area of land reform.⁴⁰⁰ The CRDP and the Medium Term Strategic Framework, 2009–2014 ("MTSF") were among the most important policies aimed at agrarian and land reform. Legislative frameworks in the area of land reform were important for a variety of reasons but the important of which that have a direct impact on the realisation of the right to have access to food being that; firstly, rural dwellers rely on land for survival and hence access to productive land is vital for such households to produce food; and, secondly, land is central to rural development in order to provide for security of tenure.⁴⁰¹ Access to land by households presents a formidable step towards sustainable long-term food security interventions, such as subsistence farming. This will lead to productive and sustainable rural areas in terms of land tenure and land availability.⁴⁰²

In turn, access to land promotes small-scale agriculture, which is a major investment in rural development.⁴⁰³ Such an investment leads to increased employment opportunities and provides for an immediate local market and for a local agro-industry, thereby promoting local economic development in rural areas.⁴⁰⁴ The objectives of the CRDP, namely agrarian transformation, rural development and land reform would thus be easily achieved. These objectives are essential to creating sustainable rural areas because households in rural areas rely on land in order to produce their own food.⁴⁰⁵

⁴⁰⁰ RDP para 2.2.5.

⁴⁰¹ RDP paras 2.4.1–2.4.2.

⁴⁰² See para 5.4.2 of this thesis on the importance of land availability in promoting subsistence farming as a food security strategy.

⁴⁰³ Rural Development Strategy para 4.4.

⁴⁰⁴ CRDP para 4.3.1.

⁴⁰⁵ See para 4.1 and table 8-1 in the thesis below on how rural households utilise their land for farming purposes.

The concepts of agrarian transformation or reform and land reform can be distinguished. For the purposes of this study, agrarian transformation or reform refers to the rapid and fundamental change in the power relations between land (as well as other natural resources, livestock and cropping) and the community.⁴⁰⁶ In this context agrarian transformation or reform entails the revamping of the agricultural sector, not only by empowering smallholder farmers and/or rural farmers to increase production, but also by adopting new farming technologies that will ensure that their farming interventions are sustainable.

In the long run, the purpose of agrarian reform is to ensure that the produce of smallholder farmers can find its way to local agricultural markets. According to Via Campesina, peasant families, especially women, must have access to productive land, credit, technology markets and extension services.⁴⁰⁷ To supplement this argument, Lahiff and Cousins⁴⁰⁸ argue that, in South Africa, the reform of agricultural markets requires restructuring in order to create opportunities for new entrants operating on a smaller scale and serving local markets, and to offer a degree of price stability for producers, especially with regard to staple food crops.

Land reform can be defined simply as the redistribution of property or rights in land for the benefit of the landless, tenants and farm labourers.⁴⁰⁹ In South Africa, land reform refers to, among other things, land restitution to those who were previously deprived of their land forcefully, and land retribution, which aims to provide the disadvantaged and the poor with access to land for residential and productive purposes, including farming purposes. It is important to consider some of the objectives of agrarian reform, rural development and land reform. The most important objectives of the CRDP are to halve poverty and unemployment by the year 2014, to ensure a more equitable distribution of the

⁴⁰⁶ CRDP para 4.3.1.

⁴⁰⁷ See statement by Via Campesina at <http://bit.ly/1BM46eQ>.

⁴⁰⁸ Lahiff and Cousins 2005 *IDS Bulletin* 129.

⁴⁰⁹ Adams *Land reform: New seeds on old ground?*; Also see the White Paper on South African Land Policy of 1997 for the three elements of the land reform process.

benefits of economic growth and reduce inequality, and to improve the nation's health profile and skills base and ensure universal access to basic services.⁴¹⁰ To achieve these objectives the CRDP would focus on rural development, food security, land reform, and cohesive and sustainable communities and livelihoods.⁴¹¹

This calls for the government to ensure that measures are in place to ensure that rural households have access to land and that the land is being effectively used to sustain rural dwellers through subsistence farming. This can be achieved by strengthening sustainable rural livelihoods. Sustainable rural livelihoods encompass having adequate stock and flows of food and cash to meet basic needs.⁴¹² Ownership of land, access to land, the technical know-how of farming and improved access to basic services can qualify as sustainable livelihoods. Sustainable livelihoods are vital in promoting food security because rural households depend on land as an indispensable asset in carrying out agricultural activities. These agricultural activities include the cropping of grains and fruits, which not only contributes to food production but also provides funds to purchase other amenities where the produce is surplus, thereby increasing a household's livelihood.⁴¹³ The notion of sustainable livelihoods recognises the fact that rural households have at their disposal a variety of assets (such as livestock) and natural resources (such as land) that can be used to enhance food security.

Literature⁴¹⁴ indicates that access to land serves as a valuable resource in achieving food security. Access to land is integral in promoting rural livelihoods, especially farming, because of the limited livelihood opportunities that are available to rural households.⁴¹⁵ Hence, the agricultural sector not only provides employment for rural households but most rural households engage in farming

⁴¹⁰ CRDP para 2.2.

⁴¹¹ CRDP paras 2.2–2.3.

⁴¹² Chambers and Conway 1991 *IDS Discussion Paper* 5.

⁴¹³ See table 8-1 in chapter 4 of this thesis below.

⁴¹⁴ See para 5.4.2 of this thesis.

⁴¹⁵ Holden and Otsuka 2014 *Food Policy* 89–95; see Africa Agriculture Status Report (2013) 32.

activities for consumption purposes or to supplement their household income.⁴¹⁶ Access to assets such as finance, land and natural resources have the potential to promote rural livelihoods.⁴¹⁷ The aim of land reform is to reduce food insecurity by using land for agriculture as indicated in the RDP.⁴¹⁸ The government should therefore adopt policies that favour agrarian transformation, as seen in paragraphs 3.5.1, 3.5.2 and 3.5.3. It is also important that land reform be viewed within the larger context of rural development.

Rural infrastructure can lead to improved opportunities for both on-farm and off-farm employment.⁴¹⁹ According to the Africa Agriculture Status Report of 2013, lack of sufficient infrastructure, such as access to roads, irrigation and land management capabilities, has resulted in the small amount of land available not being used to its full potential in Africa.⁴²⁰ Agrarian transformation should be viewed holistically within the ambit of rural development. Such an approach is vital because poor rural development has a negative effect on agrarian transformation. Paragraph 4.3.2 of the CRDP provides that rural development is important in ensuring the optimal use and management of natural resources and this can be achieved through coordinated and integrated agrarian transformation. Access to land is important in ensuring that rural households enjoy their right to food sovereignty fully, because land is essential in ensuring food availability and access to food, and food can be achieved only through the efficient use and management of natural resources, including land.⁴²¹ The world's poor population depends on land to maintain their livelihoods.⁴²² At the same time, constraints such as lack of infrastructure, household dynamics and poor returns on agricultural activities mean that access to land does not always enable the poor to meet their food demands.⁴²³

⁴¹⁶ Daniels et al 2013/14 *NIDS Discussion Paper* 17.

⁴¹⁷ Adams, Sibanda and Turner 1999 *Overseas Development Institute* 4–5.

⁴¹⁸ RDP para 2.4.3; see also Sibanda 2001 *SARPN Conference* 5–6.

⁴¹⁹ Fan, Hazell and Haque 2000 *Food Policy* 419–420; see also Phogole 2010 *AISA Policy Brief* 6.

⁴²⁰ Africa Agriculture Status Report (2013) 28.

⁴²¹ Cruz 2010 *Discussion Paper* 2; see para 2.5 of this thesis.

⁴²² Cruz 2010 *Discussion Paper* 3.

⁴²³ Du Toit 2005 *CSSR Working Paper* 11.

This calls for policies that promote land distribution, especially in economies where there are limited off-farm employment opportunities.⁴²⁴ Hence, the Declaration of Nyéléni⁴²⁵ provides that food sovereignty mean that the right to use and manage lands should be in the control of those who produce food.⁴²⁶ Furthermore, agrarian reform should guarantee subsistence farmers full land rights.⁴²⁷ Moyo,⁴²⁸ who argues that agrarian transformation in Africa tends to move towards the modernisation of farming and favours medium- and large-scale farming by allocating these farmers more land presents the concern shared in the Declaration of Nyéléni. This results in rural households having smaller landholdings.⁴²⁹ Li⁴³⁰ indicates that institutional investors acquired about 40 million hectares of land for large-scale agriculture in sub-Saharan Africa in the period 2008 to 2009. This can be seen as a great gain for the purposes of national economic growth, but in the context of the CRDP it defeats one of the main objectives of agrarian transformation, which is to strengthen rural livelihoods for vibrant local economic development.⁴³¹

In relation to subsistence farming as a food security intervention, any strategy that leads to land constraints has a direct impact on the right to have access to food and the promotion of food security. The development of large-scale farming through land acquisitions and leasing from governments makes subsistence

⁴²⁴ Holden and Ghebru 2016 *Global Food Security* 27; see also Deininger, Hilhorst and Songwe 2014 *Food Policy* 76–77.

⁴²⁵ See Annexures at the end of this thesis. "In February 2007 the International Forum for Food Sovereignty took place in Selingue in Mali. It was a unique event that brought together many of the key movements and organisations worldwide, working on food sovereignty. The Nyeleni Forum helped to shape a common international agenda and described very clearly how we want to realize food sovereignty in our countries and whom we have to resist because they devastate peasant-based food production and local markets, destroy food sovereignty and make us dependent on transnational companies and international markets" (Declaration of Nyeleni, 2007)

⁴²⁶ Nyeleni Declaration (2007) 1; see also the statement by Via Campesina titled "The Right to Produce and Access to Land Food Sovereignty: A Future without Hunger" (1996 World Food Security Summit).

⁴²⁷ Nyeleni Declaration (2007) 2; see also Wittman 2011 *Environment and Society* 94–95.

⁴²⁸ Moyo 2010 *AISA Policy Brief* 4–5.

⁴²⁹ Moyo 2010 *AISA Policy Brief* 6–8; see also Jayne *et al* 2016 *Agricultural Economics* 197–214.

⁴³⁰ Li 2014 *Transactions of the Institute of British Geographers* 592.

⁴³¹ CRDP para 4.3.1.

farmers vulnerable to food insecurity.⁴³² This negates the role of agriculture as a food security intervention in rural households.⁴³³ Studies show that, in the former homelands, households that had access to land and engaged in farming were less likely to face severe hunger than non-farming households were.⁴³⁴ In addition, the importance of access to land in promoting food security is recognised in the NDP 2030, which provides that strategies that promote the efficient use of agricultural land should also promote access to land and social equity, and should recognise the important economic role of subsistence agriculture in some rural communities.⁴³⁵

At the same time, constraints such as lack of infrastructure, household dynamics and poor returns on agricultural activities mean that access to land does not always allow the poor to meet their food demands. Rural households are shaped by access to a variety of livelihood-enabling factors, including land-based livelihoods, linkages to urban resources, informal economic activities and social grants, among others.⁴³⁶ Land is clearly a vital asset in enhancing food security for rural households, hence land-based livelihoods should be sustainably promoted.⁴³⁷ This calls for sustainable land use, especially in subsistence agriculture, in order to counter land constraints.⁴³⁸ Land constraints can lead to many households who engage in farming being unable to escape the poverty trap in the absence of off-farm activities,⁴³⁹ because these constraints lead to smaller farm sizes, which in turn reduce yields.⁴⁴⁰ It is clear that land constraints have a negative impact on implementing subsistence farming as a long-term food security intervention. Chapter 5 will show how land constraints can be minimised to ensure the effective use of agricultural land.

⁴³² Matondi "Land Reform, Natural Resources, Governance and Food Security: Message from and to Africa and Beyond" 211.

⁴³³ Pienaar and Von Fintel 2013 *Stellenbosch Economic Working Papers* 2–3; see also Kongolo 2012 *African Journal of Agricultural Research* 352–353.

⁴³⁴ Pienaar and Von Fintel 2013 *Stellenbosch Economic Working Papers* 19.

⁴³⁵ NDP (2030) 204.

⁴³⁶ Neves and Du Toit 2013 *Journal of Agrarian Change* 109.

⁴³⁷ Andrew, Ainslie and Shackleton 2003 *PLAAS Occasional Paper* 2–20; see also Africa Agriculture Status Report (2013) 32.

⁴³⁸ Headey and Jayne 2014 *Food Policy* 22.

⁴³⁹ Jayne *et al* 2003 *Food Policy* 272.

⁴⁴⁰ Jayne, Chamberlin and Headey 2014 *Food Policy* 3–6.

The importance of land as a sustainable livelihood is also indicated in the MTSF,⁴⁴¹ which provides that the government aims to contribute to agrarian reform and food security by providing agricultural implements and inputs to support small-scale farmers by fencing off agricultural areas, making agricultural loans accessible and ensuring agricultural extensions of high quality, providing agricultural starter packs in order to support communities to grow their own food, improving service delivery in rural areas, and providing skills development to rural farmers through centres of excellence. The above strategic elements comprise an overall strategy of reducing food insecurity through long-term interventions that take account of the fact that food insecurity can be alleviated only by a programme that considers the future food needs of households. The CRDP and the MTSF play an integral role in ensuring the realisation of the right to have access to sufficient food in accordance with section 27(1)(b) read with section 27(2) of the *Constitution*. These two legislative frameworks provide a platform for the effective implementation of agrarian and land reform, to ensure that rural households and small-scale farmers can use their land to alleviate household food insecurity and sustain their families through agricultural produce.

3.5.3 The Integrated Sustainable Rural Development Strategy, 2000 and the Integrated Food Security Strategy for South Africa, 2002

The strategic intent of the Integrated Sustainable Rural Development Strategy, 2000 ("ISRDS") is to transform rural South Africa into an economically viable and socially stable and harmonious sector that makes a significant contribution to the nation's GDP.⁴⁴² The ISRDS seeks to transform rural areas into sustainable economic hubs. The purpose of the ISRDS is to enable rural dwellers to sustain themselves through local investments in the form of earnings or agricultural produce.⁴⁴³ Therefore, the ISRDS is premised on the notion of sustainable livelihoods, as indicated in paragraph 3.4.2.2 above. This notion requires the government to put in place programmes aimed at providing integrated support

⁴⁴¹ MTSF paras 38.2–38.6.

⁴⁴² ISRDS para 77.

⁴⁴³ ISRDS paras 84–93. See also Olivier, Van Zyl and Williams 2010 *PER* 122–135 for a further discussion of the purpose of the ISRDS.

activities to improve the sustainability of livelihoods in poor and vulnerable groups, by strengthening the resilience of their coping and adaptive interventions, as indicated in the *Grootboom* decision.⁴⁴⁴

In relation to this study, government should support households through social assistance grants and subsistence farming as strategies that increase food security at household level. Such strategies should enable households to not only meet immediate food security needs but also to earn their own living through sustainable programmes, as proposed in the CRDP and the MTSF. A programme that aims to reduce food insecurity should cater for medium- to long-term food security interventions that take account of ancillary factors that may limit the effectiveness of such a programme. In this instance, a programme that aims to reduce food insecurity should contain at least the following three key elements, as listed in the ISRDS: facilitating rural development, sustaining the dynamic growth of rural areas, and creating an integrated programme to sustain rural development.⁴⁴⁵

These key elements are vital in implementing medium- and long-term food security interventions, such as subsistence farming, because such interventions are dependent on the availability of land. Access to arable land in subsistence farming is an important factor because it ensures food access for the rural poor.⁴⁴⁶ Hence, it is important that legislation that aims to ensure land reform considers the impact of such legislation on the right to have access to food within the context of the legislative measures that are aimed at realising the right to have access to food.⁴⁴⁷ In the context of South Africa, section 27(2) of the *Constitution* should be read with the provisions of section 25(5) of the *Constitution*, which provides that the state must take reasonable legislative and other measures, within its available resources, to foster conditions that enable citizens to gain access to land on an equitable basis. Such an approach creates a viable coherent programme aimed at reducing food insecurity, as proposed in the

⁴⁴⁴ Krantz The Sustainable Livelihood Approach to Poverty Reduction: An Introduction.

⁴⁴⁵ ISRDS paras 77-92.

⁴⁴⁶ See para 3.5.2 of this thesis.

⁴⁴⁷ Cruz 2010 *Discussion Paper* 25–33.

Integrated Food Security Strategy for South Africa, 2002 ("IFSS"). The goal of the IFSS is to eradicate hunger, malnutrition and food insecurity by 2015.⁴⁴⁸ However, due to ineffective implementation of food security strategies, this goal was not achievable at the end of 2015. The objectives of the IFSS include the following, among others: increasing household food production and trading, improving income generation and job creation opportunities, improving nutrition and food safety, and increasing safety nets and food emergency management systems.⁴⁴⁹

To discharge the above objectives, the IFSS adopts a developmental approach to reducing food insecurity.⁴⁵⁰ The realisation of the right to have access to sufficient food will be based on both interceptive and empowerment interventions. Where households are able to access production resources on their own, intervention should be made available to support access to production resources (empowerment). In severe cases, where households are unable to access sufficient food, short- to medium-term relief measures should be made available (intervention). A good example of an intervention measure is the Zero Hunger Programme, which aims to combine short-term responses to emergencies with medium- and long-term responses that help create the necessary conditions for people to improve their food security.⁴⁵¹ The Zero Hunger Programme gives effect to the first strategic goal of the IFSS, which provides that the main aim of the IFSS is to eradicate hunger, malnutrition and food insecurity by 2015, by increasing household food production and trading.⁴⁵²

The IFSS's developmental approach is consistent with the commitments and goals of the Copenhagen Declaration and Programme of Action referred to in paragraph 2.3.2 above, which adopts a holistic approach to achieving food security by classifying poverty as a social problem that should form part of all

⁴⁴⁸ IFSS 5–6 and 13.

⁴⁴⁹ IFSS 6.

⁴⁵⁰ IFSS 14.

⁴⁵¹ The Framework for the Zero Hunger Programme: Actuating the integrated food security strategy for South Africa, 2012.

⁴⁵² IFSS 5–6.

social development programmes. Such an approach not only looks at the needs of people living in poverty but also recognises the fact that such people have entitlements to basic services, such the right to have access to food. The two-pronged approach of the IFSS is therefore important, as one of the IFSS's objectives is to overcome rural food insecurity.⁴⁵³

To achieve this the government should among other things, support activities that aim to increase access to productive resources such as land, technology, credit and training; promote small-scale irrigation and other rainwater harnessing technologies; invest in productivity-enhancing, environmentally sustainable technologies for the agricultural and agro-processing sector, targeting small-scale producers; improve access to credit by the poor, including women; promote the use of idle agricultural land through agrarian reforms; and improve extension services and make such services available to small-scale farmers, who often practise mixed farming and undertake a variety of enterprises.⁴⁵⁴ By so doing, the government empowers households to achieve sustainable access to food and also achieve food sovereignty by enabling households to produce food that meets their individual dietary needs and that is culturally acceptable for consumption.

3.5.4 Social Assistance Act and related legislation

Social grants provide an immediate form of relief to poverty-stricken households. Taking into account the discussion in paragraph 3.5.1 above, social grants provide an integral solution as an intervention measure in ensuring food security.⁴⁵⁵ In South Africa, one of the objectives of the *Social Assistance Act* is to provide for the administration of social assistance and the payment of social grants.⁴⁵⁶ Section 4 of the *Social Assistance Act* sets out the types of social

⁴⁵³ IFSS 28.

⁴⁵⁴ IFSS 28-29.

⁴⁵⁵ IFSS 14.

⁴⁵⁶ Section 3(1)(a) of the *Social Assistance Act* 13 of 2004. The South African Social Security Agency (SASSA) is charged with the administration and payment of social assistance. SASSA was established in terms of section 2 of the *South African Social Security Agency Act* 9 of 2004.

grants available in South Africa: a child support grant, a care dependency grant, a foster child grant, a disability grant, an older person's grant, a war veteran's grant and a grant-in-aid. These grants to some extent assist households to meet their basic survival needs.⁴⁵⁷

The majority of South African children living in rural areas are poverty-stricken.⁴⁵⁸ Nkosi⁴⁵⁹ also states that most children in rural households receive the child support grant (CSG), which in itself indicates the significant role that social grants play in enhancing food security. Social grants are also important in alleviating household food insecurity in female-headed households.⁴⁶⁰ This reveals that social grants, although negligible according to international standards, provide an immediate source of income for poor households and keep such households from falling into deep poverty.⁴⁶¹ Social grants are the most important contributors to reducing food insecurity in the poorest households of South Africa.⁴⁶² Social grants also play an integral role in increasing overall welfare in African rural households, especially in the former homeland areas of South Africa.⁴⁶³

The provisions of the *Social Assistance Act* make it clear that the availability of different types of grants is meant to comply with the requirements of section 27(1)(b) of the *Constitution* and the White Paper on Social Welfare. The purpose of social grants is to bridge the gap between food secure households and those that live in abject poverty, thereby providing for a minimum realisation of the right to have access to sufficient food. Social grants ensure that the government provides households with the basic essential form of assistance to lead dignified lives and to secure food.

⁴⁵⁷ Brand 2002 *ESR Review* 16–17.

⁴⁵⁸ Nkosi 2011 *SAPL* 89.

⁴⁵⁹ Nkosi 2011 *SAPL* 89-90.

⁴⁶⁰ Goldblatt 2009 *SAJHR* 442–466.

⁴⁶¹ See table 7-1 in chapter 4 of this thesis.

⁴⁶² Altman, Hart and Jacobs 2009 *Agrekon* 354.

⁴⁶³ Armstrong and Burger *Stellenbosch Economic Working Papers* 1–3.

3.6 Conclusion

This chapter set out to discuss the content and context of the right to have access to sufficient food as it exists in the South African legislative framework. In order to understand such content and context, the concept of poverty and its causes were explored to gain an understanding of the inclusion of socio-economic rights as justiciable human rights in the Bill of Rights. The discussion indicated that the extent of poverty varies, depending on the government interventions available to alleviate poverty. Most causes of poverty are man-made. For instance, civil wars, corruption and poor governance are some of the factors that lead to increased food insecurity. Factors such as good policies and respect for human rights can go a long way in reducing food insecurity.

The chapter showed that the inclusion of the right to have access to sufficient food as a justiciable human right in the Bill of Rights has led to important government interventions and policies for promoting food security. Conclusions can be drawn in respect of the role of socio-economic rights in promoting food security. Firstly, in adhering to the principles set out in the *Mazibuko* and *Grootboom* cases both social grants subsistence farming play a critical role in enhancing food security. Secondly, the *Mazibuko* case presents a workable standard for realising the right to have access to sufficient food: food security interventions should be flexible to cater for immediate food needs. Finally, the *Grootboom* case sets a benchmark that places an obligation on the government to strive for a policy framework that empowers households to adopt self-reliant interventions in reducing household food security.

Furthermore, it was shown that legislative frameworks such as the RDP paved a way for the promulgation of policies aimed at promoting food security and set out a platform for ensuring that such policies are sustainable. Therefore, in order to achieve its targets in respect of improved household food production, government needs to have access to information about the various needs of rural households. This requires the development of a comprehensive monitoring system that provides adequate and current information on the needs of the rural

poor.⁴⁶⁴ Furthermore, the CRDP, the MTSF, the ISRDS and the IFSS present a clear coordinated programme that emphasises the achievement of food security based on long-term food security interventions, which require the government to promulgate policies that aim to realise the right to have access to sufficient food. Such policies should also be practical and consider ancillary factors, such as availability of land, technical knowledge on farming, marketability of produce, etc that need to be addressed before activities such as subsistence farming can be conducted.

Finally, the fact that the above-mentioned policies take cognisance of the peculiar characteristics of rural households is important in addressing the causes of poverty in rural areas. If attention is paid to the needs of rural households, proper resources can be channelled towards increasing household food production, resulting in food insecurity being drastically reduced. Appropriate short-term and long-term food security interventions can then be adopted to address the food security issues of rural households. In summary, it is apparent that the right to have access to sufficient food as entrenched in the Bill of Rights can be progressively realised only when coupled with properly designed food specific policies and legislative frameworks aimed at empowering and sustaining rural livelihoods.

⁴⁶⁴ IFSS para 8.

Chapter 4: A comparative assessment of subsistence farming and social grants as means to ensure food security in rural households

4 A comparative assessment of subsistence farming and social grants as food security interventions

4.1 Introduction

Chapter 3 indicated that food security interventions are necessary to meet both immediate and long-term food security needs. Food security interventions should be implemented by looking at the prevailing food security needs of individuals and households. The government should ensure that the proposed interventions aimed at reducing food security are relevant and achieve the objective of section 27(1)(b) of the *Constitution*. Such scrutiny is required when implementing food security measures because food insecurity levels vary from one settlement to another.⁴⁶⁵ As already shown above, section 27(1)(b) of the *Constitution* obliges the state to take short-term and long-term food security interventions. The short-term measures are in the form of social grants, while long-term measures include commercial farming and subsistence agriculture. For the purposes of this study the focus is on subsistence agriculture, which is a vital food security intervention especially for small-scale and/or household producers.

The importance of social grants and subsistence agriculture as interventions is revealed by the number of households that rely on these strategies to access food. For instance, the LCS 2008/2009 indicates that 58.7% of rural households relied on social grants for income during that period.⁴⁶⁶ This situation has not changed much as rural households still rely on social grants as their main source of income.⁴⁶⁷ The General Household Survey, 2015 ("GHS 2015") indicates that a

⁴⁶⁵ According to the 2002 Taylor report, between 45% and 55% of South Africans were living in poverty at the time and rural households were also among the poorest. Taylor Committee Report No 8: Poverty, Social Assistance and the Basic Income Grant 275–276.

⁴⁶⁶ LCS 2008/2009 96.

⁴⁶⁷ See figure 59 in the GHS (2015) 63–64.

high number of households in rural provinces rely on social grants as their main source of income: the Eastern Cape (37.6%), Limpopo (33.2%) and KwaZulu-Natal (28.0%).

In respect of agriculture, the LCS 2008/2009 reveals that a total of 8.5% of the households in South Africa reported that they own or have access to land that could be used for growing food or raising livestock: 13.9% for poor households and 5.2% for non-poor households.⁴⁶⁸ The survey further indicates that 5.3% of the households reported that they owned medium livestock, such as goats and sheep, while about 5.2% of households and 11.3% of households reported that they owned large livestock and small livestock respectively. The LCS 2008/2009 reveals that 12.7% of households were involved in subsistence agriculture during the reference period.⁴⁶⁹

Similarly, the GHS 2015 indicates a slight increase in households that relied on agriculture during the reference period. At least 16.9% of the households were involved in agricultural activities.⁴⁷⁰ The representative figures indicate that 11.8% of such activities took place on cultivated farmland, while 91.3% took place in backyard gardens. Unfortunately, the GHS 2015 does not indicate the percentage of households involved in subsistence farming separately. However, the activities taking place in backyard gardens point towards subsistence and/or informal farming activities. The above figures indicate the importance of subsistence farming as a supplementary or a potential supplementary income for households, especially those in rural areas.⁴⁷¹ The LCS 2008/2009 revealed that households in rural provinces such as KwaZulu-Natal, the Eastern Cape and Limpopo had access to land that could be used for growing food or raising livestock.⁴⁷² The GHS 2015 reveals that agricultural land is mainly used for

⁴⁶⁸ LCS 2008/2009 35–36.

⁴⁶⁹ LCS 2008/2009 73.

⁴⁷⁰ GHS (2015) 67.

⁴⁷¹ See the case studies in paras 5.3.1–5.3.4 of this thesis.

⁴⁷² LCS 2008/2009 36–38.

livestock production (34.3%), grains and food crops (51.6%) and fruit and vegetable crops (50.8%).⁴⁷³

Aliber and Hart,⁴⁷⁴ state that approximately 3 million subsistence farmers produce food primarily to meet their own household consumption needs in South Africa, support these findings. In another study conducted in 2009, it was indicated that at least an estimated 4 million people in South Africa engage in smallholder agriculture.⁴⁷⁵ Agriculture therefore "contributed 15% of the total income in black households who have access to agricultural land and 35% for the poorest population".⁴⁷⁶ Despite the role that subsistence agriculture plays in providing access to food, its potential is limited by lack of access to funds, farming equipment, lack of skills, distance from farms and lack of government support.⁴⁷⁷

This chapter examines the interventions of the state in improving food security in South Africa, by examining the benefits of social grants and subsistence farming as food security strategies. Firstly, the evolution of social security as a measure to reduce food insecurity in the United States of America ("USA") is examined. The US social security system is examined to show how this system can influence the South African system, especially with regards to the use of social welfare as a transformative social protection strategy. Secondly, the role of social assistance grants and subsistence farming as food security interventions for reducing food insecurity at household level as they prevail in South Africa are discussed. The use of social grants as a food security intervention, its benefits and shortcomings, is examined. The role of subsistence farming as a strategy in reducing food insecurity in South Africa, and the benefits and shortcomings thereof is discussed.

⁴⁷³ See GHS (2015) 68 (table 19).

⁴⁷⁴ Aliber and Hart 2009 *Agrekon* 435.

⁴⁷⁵ Baiphethi and Jacobs 2009 *Agrekon* 473.

⁴⁷⁶ Baiphethi and Jacobs 2009 *Agrekon* 473.

⁴⁷⁷ LCS 2008/2009 73 (table 36); see also GHS (2015) 69.

4.2 History of social security in international law: the USA system

Although this study focuses on food security interventions in South Africa, it is important to understand the purpose and benefits of the social security system as it exists in other countries. This sheds light on the role of social security in enhancing food security. In this study, the USA social security programme is analysed based on existing literature. The USA was chosen because it has a social security system that is similar to South Africa's system. At the same time, the USA system presents a better model of social welfare, as it dissuades beneficiaries from using social benefits as a crutch and from being long-term beneficiaries. In the USA, the social security programme is the largest single benefits programme aimed at providing relief to retirees and the disabled and therefore ending retirement-generated poverty for a vast segment of the population.⁴⁷⁸ Social security income has its roots in the *Social Security Act* of 1935, which provided for unemployment insurance, old-age insurance, and means-tested welfare programmes.⁴⁷⁹ The US Social Security Act provides for two categories of benefits, namely social insurance (in the form of unemployment insurance and old-age insurance) and welfare programmes.⁴⁸⁰ Accordingly, the social insurance envisaged in the *Social Security Act* of 1935 is underlined by five principles: work related; no means test; contributory; universal compulsory coverage; and rights defined in the law.⁴⁸¹

Work related means that for a person to qualify for social security, such a person should have contributed towards employment benefits.⁴⁸² According to Moore,⁴⁸³ a work-related benefit is an earned right in that a relationship exists between one's standard of living while working and the benefit level of income security on retirement.

⁴⁷⁸ Kashin, King and Soneji 2015 *Political Analysis* 1–2.

⁴⁷⁹ Martin and Weaver 2005 *Social Security Bulletin* 1–15.

⁴⁸⁰ Moffitt 2015 *Demography* 731 and Moore 2008 *Marshall Law Review* 1063.

⁴⁸¹ Moore 2008 *Marshall Law Review* 1063–1064.

⁴⁸² Martin and Weaver 2005 *Social Security Bulletin* 2.

⁴⁸³ Moore 2008 *Marshall Law Review* 1066–1067.

Social insurance is an earned right and is not needs-based. Social insurance programmes provide universal cover against the risk of unemployment, disability, old age and inability to work.⁴⁸⁴

Contributory means that workers must have contributed financially to the programme in order to obtain cover. Benefits in social insurance are based on the cumulative wages of the beneficiary.⁴⁸⁵ This programme is financed by mandatory taxes levied on wages and self-employment incomes.⁴⁸⁶

Universal compulsory coverage means that all workers within certain sectors are covered by social insurance. Nuschler and Siskin⁴⁸⁷ note that in 2004 the social security programme covered employers and employees 6.2% of their earnings on each pay up to \$87,900. Furthermore, such compulsory coverage offers economic security to all workers without discrimination.⁴⁸⁸

Rights defined in the law means that a person's rights relating to social security benefits are set out in law.⁴⁸⁹ This relates to the contribution that a person makes and the benefit derived.

Social insurance programmes base eligibility on a person having worked for a long enough period and having had a sufficient level of earnings.⁴⁹⁰ Social insurance mostly caters for those who have previously worked and have contributed towards the programme. Unlike social welfare, social insurance is not based on need.⁴⁹¹ Social welfare programmes are a form of social assistance aimed at reducing food insecurity among low-income individuals and families.⁴⁹² One such programme was the Aid to Families with Dependent Children ("AFDC"). The primary aim of the AFDC programme was to provide "cash financial support

⁴⁸⁴ Ben-Shalom, Moffitt and Scholz 2011 *NBER Working Paper* 6–11.

⁴⁸⁵ Martin and Weaver 2005 *Social Security Bulletin* 3–6.

⁴⁸⁶ Nuschler and Siskin 2005 *CRS Report for Congress* 1–4.

⁴⁸⁷ Nuschler and Siskin 2005 *CRS Report for Congress* 1–2.

⁴⁸⁸ Moore 2008 *Marshall Law Review* 1071.

⁴⁸⁹ Schmulowitz et al 1991 *Social Security Bulletin* 10–13.

⁴⁹⁰ Moffitt 2015 *Demography* 731.

⁴⁹¹ Moore 2008 *Marshall Law Review* 1066–1070.

⁴⁹² Huang and Vikse War on Poverty: Effectiveness of Anti-Poverty Programs in the United States 9.

to families with children, who are defined as those who are deprived of the support or care of one natural parent by reason of death, disability, or absence from the home, and are under the care of the other parent or another relative".⁴⁹³

The AFDC programme later incorporated food stamps and recipients of AFDC were automatically eligible for benefits from both programmes.⁴⁹⁴ It is clear that the AFDC programme aimed to alleviate poverty at household level and to ensure that families enjoyed the minimum level of food security. In 1996, the Temporary Assistance for Needy Families programme ("TANF") replaced the AFDC. The TANF programme provided a cumulative lifetime limit of 5 years of cash support to needy recipients and required them to obtain work when the said period expired.⁴⁹⁵ The goals of the TANF programme were to reduce the number of people dependent on welfare, and to increase the numbers of those who were employable.⁴⁹⁶ If people acquired work skills, they would be able to support themselves and their households. The TANF programme not only aims to alleviate poverty but also to promote self-sufficiency. Studies conducted in the USA indicate that although social assistance programmes do not necessarily have a significant effect on poverty rates, they have had other important effects, such as successfully combatting food insecurity and hunger, and improved related outcomes for low-income families.⁴⁹⁷

At the same time, the effectiveness of social welfare programmes such as the TANF programme in alleviating household poverty and food insecurity are considered minimal when compared to the AFDC programme,⁴⁹⁸ because the TANF programme imposes the condition that heads of recipient families should obtain employment within a stipulated period.⁴⁹⁹ States⁵⁰⁰ therefore select

⁴⁹³ Moffitt (ed) 2003 *Means-Tested Transfer Programs in the United States* 292–299.

⁴⁹⁴ Moffitt (ed) 2003 *Means-Tested Transfer Programs in the United States* 310.

⁴⁹⁵ Hildebrandt and Kelber 2012 *Policy, Politics and Nursing Practice* 130–131.

⁴⁹⁶ Hildebrandt and Kelber 2012 *Policy, Politics and Nursing Practice* 130.

⁴⁹⁷ Huang and Vikse War on Poverty: Effectiveness of Anti-Poverty Programs in the United States 20.

⁴⁹⁸ Trisi and Pavetti 2012 Center on Budget and Policy Priorities 1–16.

⁴⁹⁹ Trisi and Pavetti 2012 Center on Budget and Policy Priorities 7–9.

families according to their potential to secure employment and, as a result, families in dire need of social assistance are neglected.⁵⁰¹ Social assistance programmes in the USA have both positive and negative effects depending on the manner in which governments approach the distribution of socio-economic benefits aimed at improving food security. A further conclusion is that funding for social assistance programmes should not be distributed indiscriminately with conditions that make it difficult or impossible for the potential recipients to access such assistance and as a result remain in perpetual poverty.

On the other hand, social insurance seems to thrive because it covers employees and benefits are guaranteed. This enables those who are employed to avoid the poverty trap by saving for the future. Including social insurance in the discussion indicates the differences between social protection measures, so that we can determine how the various social protection measures reduce socio-economic deprivations, including food insecurity. Social protection measures such as social insurance are not pro-poor. However, social welfare is pro-poor and has been used as a strategy to assist households that are vulnerable to livelihood risks to escape the poverty trap. At the same time, both social assistance and social insurance programmes in the USA system provide much-needed economic security for households and assist in reducing food insecurity.

Having discussed the USA social security system, and its benefits and shortcomings, the South African social security system with a specific focus on social assistance in the form of social grants is discussed. The two social security systems namely the USA and South African social welfare systems are compared to see how they fare against each other and to determine which system best addresses household food insecurity.

⁵⁰⁰ A state is a political territory within the federal republic of the United States of America.

⁵⁰¹ Hildebrandt and Kelber 2012 *Policy, Politics and Nursing Practice* 131–132.

4.3 Social grants as a short-term food security intervention to ensure household food security in South Africa

4.3.1 Introduction

According to section 27(1)(c) of the *Constitution* "everyone has the right to have access to social security, including, if they are unable to support themselves and their dependants, appropriate social assistance". Section 27(1)(c) of the *Constitution* entails that the right to social security is an entrenched right and should be afforded full recognition and measures should be adopted to ensure its effective realisation. The right to social security encompasses the right to social insurance and social assistance.⁵⁰² Social assistance refers to a form of social welfare that is made available to destitute persons and households based on a means test.⁵⁰³ In this study, the role of social security in the form of social assistance (specifically social grants) is examined in order to determine its effectiveness in enhancing household food security. A brief outline of the evolution of the social security system in South Africa is also provided.

4.3.2 Social security during apartheid

Like the US system, the social security system in South Africa spans many decades, with the first pension fund providing for retirement insurance for whites only.⁵⁰⁴ Social insurance covered mostly whites because less skilled workers were generally excluded from social insurance.⁵⁰⁵ Blacks who were employed in industries such as agriculture, domestic service and catering could not enjoy the benefits of social insurance.⁵⁰⁶ As a result, social insurance discriminated along racial lines and catered only for skilled workers. However, unlike social insurance, social assistance in the form of social grants was more accommodating, with a variety of social welfare packages being made available to different racial

⁵⁰² Chapter 7 White Paper for Social Welfare.

⁵⁰³ See para 4.2 of this thesis; see also the White Paper for Social Welfare chapter 7.

⁵⁰⁴ Van der Berg, Siebrits and Lekezwa *Stellenbosch Economic Working Papers* 1–58.

⁵⁰⁵ Van der Berg, Siebrits and Lekezwa *Stellenbosch Economic Working Papers* 3–4.

⁵⁰⁶ Van der Berg, Siebrits and Lekezwa *Stellenbosch Economic Working Papers* 3–4.

groups.⁵⁰⁷ Such flexibility in the distribution of social grants meant that households vulnerable to food insecurity obtained a minimal measure of relief from socio-economic constraints.

4.3.3 Social security post-apartheid

Despite the relief that social grants brought to the most vulnerable households, social assistance was made available to all South Africans only in 1992. This paved the way for the inclusion of social security rights in the RDP White Paper, with the result that the democratic government included social security and social welfare rights in the ten priority areas that needed attention to achieve a better quality of life for all.⁵⁰⁸ As stated above in chapter 3,⁵⁰⁹ social security and social welfare services have a direct effect on the right to food, so the government had to give proper effect to their realisation. The importance of social security rights is summarised in chapter 7 of the White Paper on Social Welfare, which provides that–

"A social security system is essential for healthy economic development, particularly in a rapidly changing economy, and will contribute actively to the development process. In a society of great inequality, the social security system can play a stabilising role. It is important for immediate alleviation of poverty and is a mechanism for active redistribution".⁵¹⁰

The above provision indicates the crucial impact of social security services in ensuring that households, especially those that are considered poor, can achieve a minimum basic standard of survival and food security. In South Africa, social grants target particularly vulnerable parts of the population, namely the disabled, children, foster children, people who need care and the elderly.⁵¹¹ Moreover, social grants have over the years had a meaningful impact, judging by the number of recipients who have benefited from state grants.⁵¹²

⁵⁰⁷ Woolard, Harttgen and Klasen *The Evolution and Impact of Social Security in South Africa* 7; see also Van der Berg, Siebrits and Lekezwa *Stellenbosch Economic Working Papers* 4–5.

⁵⁰⁸ RDP para 2.2.5.

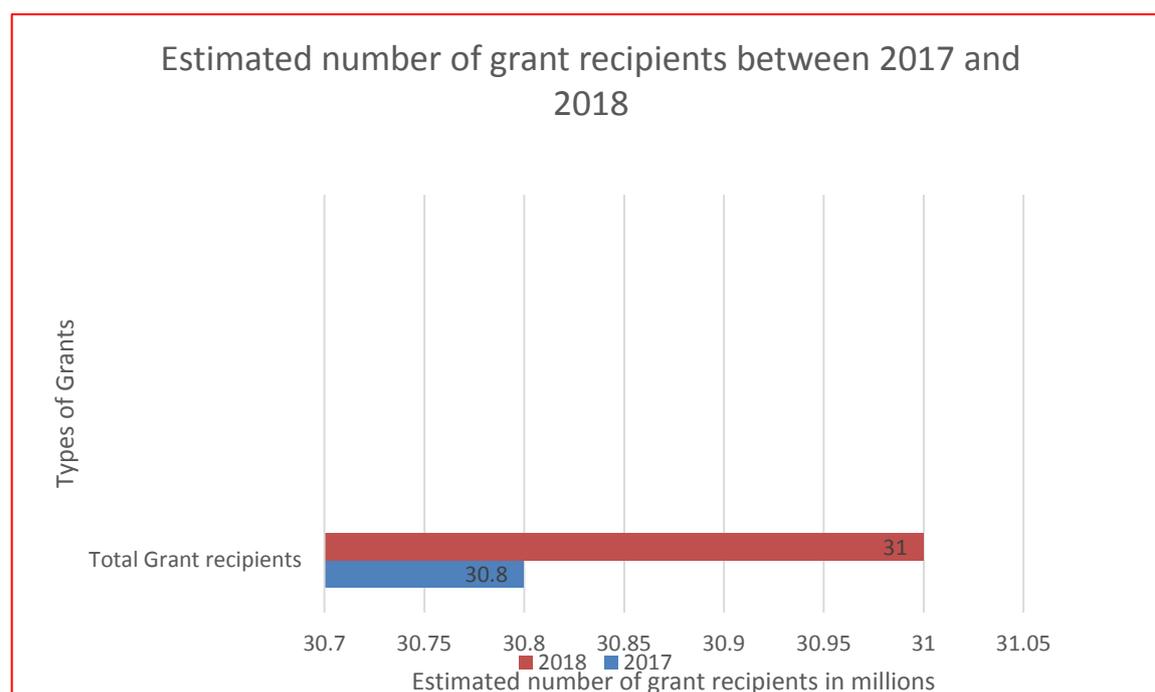
⁵⁰⁹ See para 3.5.1 of this thesis.

⁵¹⁰ White Paper for Social Welfare 1997-chapter 7 para 27c.

⁵¹¹ Brockerhoff 2013 *SPII Working Paper* 10.

⁵¹² See Table 7-1 of this thesis.

TABLE 7-1: Social grant trends 2017 to 2018



Sources: Stats SA General Household Survey 2017; Stats SA General Household Survey 2018; Stats SA Poverty Trends Report, 2017: 35-38.

4.3.4 Role of social grants in alleviating food insecurity at household level

The statistics in table 7-1 clearly indicate that social assistance grants are an important short-term food security strategy. Social grants play a crucial role in providing a source of income to poor households and in lifting such households out of the poorest poverty bracket.⁵¹³ Social grants such as old age pensions and child grants reduce food insecurity and also lessen the income gap between those who can afford food and those who cannot.⁵¹⁴ The importance of social grants is indicated by the fact that in 2010, 76% of government spending on social grants accrued to the roughly 50% of individuals who constituted the poorest two quintiles of households, with rural households being the significant beneficiaries.⁵¹⁵ Although social grants do not affect headcount poverty

⁵¹³ Leibbrandt *et al* 2010 *OECD Social, Employment and Migration* 60–66.

⁵¹⁴ See Leibbrandt *et al* 2010 *OECD Social, Employment and Migration* for a further discussion on the effect of social grants in reducing household poverty.

⁵¹⁵ Van der Berg, Siebrits and Lekezwa *Stellenbosch Economic Working Papers* 30–31.

significantly, such grants do lessen the severity of poverty that households could suffer in the absence of social assistance.⁵¹⁶

Social grants therefore play an integral role in increasing overall welfare in African rural households, especially in the former homeland areas of South Africa.⁵¹⁷ Well-targeted social grants can be extremely pro-poor and play a critical role in reducing income poverty and inequality.⁵¹⁸ Hagen-Zanker, Morgan and Meth asserts "that 54% of the population lived below the poverty line when including grant income, whereas 60% of the population would have been living below the poverty line if they had not received social assistance grants".⁵¹⁹ Social grants are important for the following reasons:⁵²⁰

- "Social security grants are logistically more manageable than the direct provision of food to those in crisis;
- Social security grants are more sensitive to individual choice and are consequently more alive to the requirements of human dignity and freedom than other forms of direct transfers of food;
- Social security grants can contribute not only to food security, but also to other aspects that impact on a person's quality of life, such as clothing and transport costs;
- Social grants can facilitate development by providing a basic income to enable job-seeking and participation in developmental programmes. Social grants are, therefore, a form of social protection that ensures that people live dignified lives".⁵²¹

Devereux and Sabates-Wheeler⁵²² describe social protection as–

⁵¹⁶ Woolard, Harttgen and Klassen *The Evolution and Impact of Social Security in South Africa* 20–21.

⁵¹⁷ Armstrong and Burger *Stellenbosch Economic Working Papers* 1–20.

⁵¹⁸ Hagen-Zanker, Morgan and Meth 2011 *Overseas Development Institute* 10–11.

⁵¹⁹ Hagen-Zanker, Morgan and Meth 2011 *Overseas Development Institute* 10.

⁵²⁰ Brand 2002 *ESR Review* 17; see also Triegaardt *Accomplishments and Challenges for Partnerships in Development in the Transformation of Social Security in South Africa* 4–7.

⁵²¹ See para 3.1 of this thesis on the importance of food security interventions.

⁵²² Devereux and Sabates-Wheeler 2004 *IDS Working Paper* 9.

all public and private initiatives that provide income or consumption transfers to the poor, protect the vulnerable against livelihood risks, and enhance the social status and rights of the marginalised; with the overall objective of reducing the economic and social vulnerability of poor, vulnerable and marginalised groups.

The Devereux and Sabates-Wheeler also identify the four elements of social protection: protective measures, promotional measures, preventive measures and transformative measures.⁵²³ The most relevant element of social protection for the purposes of this study are protective measures. Protective measures refer to social protection interventions that governments adopt in order to ensure that the extremely poor are protected from food insecurity and lack by safety nets such as social grants.⁵²⁴ These interventions address immediate food needs that affect the most vulnerable sections of the community, such as children, women and the elderly.⁵²⁵ The different grants available for children, women and the elderly, and their benefits are discussed below.

4.3.5 Children's grants

In South Africa, the effectiveness of social protection measures is apparent, especially in relation to destitute children. Three kinds of social grants aim to reduce food insecurity among children, *inter alia* care dependency grants, child support grants and foster care grants.⁵²⁶ This wide range of grants for children ensures that children do not fall beneath the acceptable quintile of living by ensuring that children have access to education, school uniforms and other necessities.⁵²⁷ Furthermore, social grants are also used for a variety of livelihood activities, such as purchasing farming inputs and petty trading, which allow recipients to multiply the value of their grants by generating more.⁵²⁸ Moreover, women benefit from child support grants ("CSGs") as they tend to have custody of their children.

⁵²³ Devereux and Sabates-Wheeler 2004 *IDS Working Paper* 10.

⁵²⁴ Devereux 2006 *Regional Hunger and Vulnerability Programme Report* 1–3; see also Devereux and Sabates-Wheeler 2004 *IDS Working Paper* 10–11.

⁵²⁵ See paras 3.3.2 and 3.3.2.3 of this thesis.

⁵²⁶ Neves et al The Use and Effectiveness of Social Grants in South Africa 14.

⁵²⁷ Samson "Social Cash Transfers and Employment: A Note on Empirical Linkages in Developing Countries" 181.

⁵²⁸ Devereux 2010 *European Report on Development* 5.

Female-headed households are therefore likely to enjoy a minimum level of food security (apart from male-headed households that are similarly placed).⁵²⁹ In addition to the CSG, the care dependency grant aims to ensure that children in need of care do not suffer financial hardships. The grant is payable to the caregivers of minors suffering from severe mental or physical disabilities and in permanent home care.⁵³⁰ Finally, the foster grant is given to an individual who is not the biological parent of a child but who has legal custody.⁵³¹ Although this grant does not necessarily accrue to the child, it increases the income of the legal guardian, which reduces food insecurity in the household.⁵³²

4.3.6 Old age grants

Old age grants ("OAGs") also play a role in ensuring that households sustain a minimum level of food security by contributing to household income. High unemployment levels lead to OAG recipients being the only contributors to household income and supporting entire families.⁵³³ Aliber⁵³⁴ observes that so-called "granny households" have the largest number of dependants relying on OAGs, because grandmothers use their state pensions to support their grandchildren. Accordingly, social grants play an important role in sustaining livelihoods for the unemployed.⁵³⁵

4.3.7 The beneficial value of social grants for poor households in South Africa

Social protection in the form of social grants is one means of ensuring that the most vulnerable households enjoy a minimum level of food access and that poor households live a dignified life. In *Black Sash Trust v Minister of Social*

⁵²⁹ Martin "Children's Rights to Social Assistance: A Review of South Africa's Child Support Grant" 60-61.

⁵³⁰ Neves et al The Use and Effectiveness of Social Grants in South Africa 15.

⁵³¹ Budlender and Woolard 2012 *South African Child Gauge* 48.

⁵³² Twine et al 2007 *Scandinavian Journal of Public Health* 118-127.

⁵³³ Potts 2012 *Penn State Journal of International Affairs* 85.

⁵³⁴ Aliber Overview of the Incidence of Poverty in South Africa for the 10-Year Review 10

⁵³⁵ Van der Berg Current Poverty and Income Distribution in the Context of South African History 10-11.

Development,⁵³⁶ the Constitutional Court, in granting direct access, held as follows:

"The constitutional right to social assistance that for many, especially children, the elderly and the indigent, provide the bare bones of a life of dignity, equality and freedom is directly involved, across the land".⁵³⁷

This indicates that social security benefits have a direct impact on food insecurity and socio-economic inequality by reducing extreme poverty.⁵³⁸ In South Africa, social protection is seen as a means of reducing food insecurity,⁵³⁹ because social grants provide an important source of income for poor households.⁵⁴⁰ Accordingly, social grants provide a profound economic pathway for the unemployed and reduce severe deprivation.⁵⁴¹

It suffices to state that social assistance programmes benefit poor households in a variety of ways, including,⁵⁴²

- "Securing basic subsistence where family illness or death reduces income,
- Preventing children from leaving school because of an inability to pay fees or because their labour is needed at home,
- Preventing the sale of animals to pay for consumption, enabling investment in small livestock for food and income generation, and
- Increasing women's status and child nutrition by giving cash benefits directly to women".

The above benefits indicate that social grants as a food security strategy addresses immediate food needs by ensuring that households achieve basic food

⁵³⁶ *Black Sash Trust v Minister of Social Development* [2017] ZACC 8.

⁵³⁷ *Black Sash Trust v Minister of Social Development* para 36.

⁵³⁸ Dubihlela and Dubihlela 2014 *Mediterranean Journal of Social Sciences* 160; see also Lombard 2007 *Social Work/Maatskaplike Werk* 314.

⁵³⁹ Battersby 2011 *Urban Food Security Series* 22.

⁵⁴⁰ See Delany, Jehoma and Lake 2016 *South African Child Gauge* 24; see also Strydom and Thlojane 2008 *Social Work/Maatskaplike Werk* 42.

⁵⁴¹ Omotoso and Koch 2017–18 *Working Paper Series* 9; see also Moodley and Graham 2015 *Agenda* 30.

⁵⁴² Adato and Bassett 2009 *Aids Care* 61.

security.⁵⁴³ Table 7-1 above clarifies that income from social grants is an important source of income for poor households, as indicated by the GHS, 2017 and GHS 2018.⁵⁴⁴

The discussion above indicates that the majority of the poorest households in South Africa are dependent on social grants, as shown in Table 7-1 above. Such dependence on social grants means that the right to have access to sufficient food is not fully realised as envisaged in international law instruments, such as General Comment 12,⁵⁴⁵ and national strategies, such as the IFSS.⁵⁴⁶ These two instruments emphasise that food should be available in both quantity and quality, and that households should be able to access nutritious food at their convenience. The right to have access to sufficient food is thus determined by the food production capacity of a household or the availability of resources to purchase food.⁵⁴⁷ Receiving social grants that result in a meagre increase of household income cannot be regarded as adequate to discharge the right to have access to sufficient food, because social grants cater only for the immediate needs of households and do not provide a sustainable income.⁵⁴⁸ Food self-sufficiency is a requirement at international law in order to determine whether signatory states to the ICESCR and related instruments have discharged their obligations in realising the right to food. Food self-sufficiency is defined as "being able to meet consumption needs (particularly for staple food crops) from own production rather than by buying or importing".⁵⁴⁹ This entails that if a household cannot produce its own food or purchase its own food it is food insecure. Hence, household food insufficiency leads to food insecurity.⁵⁵⁰ In the discussion that follows, the importance of subsistence agriculture in ensuring food self-sufficiency at household level is examined.

⁵⁴³ See para 3.4.2.1 of this thesis.

⁵⁴⁴ LCS 2008/2009 45–46.

⁵⁴⁵ See para 2.2 of this thesis.

⁵⁴⁶ See para 3.5.3 of this thesis.

⁵⁴⁷ See para 2.2.2 of this thesis.

⁵⁴⁸ See Armstrong and Burger *Stellenbosch Economic Working Papers* 1–20 for a further discussion of the role of social grants in poverty alleviation.

⁵⁴⁹ See Minot and Pelijor 2010 *IFPRI Report* 1

⁵⁵⁰ See Minot and Pelijor 2010 *IFPRI Report* 1-2.

4.4 Subsistence farming as a medium- to long-term food security intervention to ensure household food security in South Africa

4.4.1 Introduction

Chapter 3 showed that food security interventions seek to address the immediate food security needs of households. Therefore, medium- and long-term food security interventions not only ensure food availability but also empower households to be self-sufficient.⁵⁵¹ The South African government has adopted a developmental approach to reducing food insecurity:⁵⁵² firstly, a functional social welfare programme and, secondly, a viable agricultural sector (both commercial and small-scale agriculture). The agricultural sector in South Africa plays a crucial role in reducing food prices, creating employment, increasing real wages, and improving farm income.⁵⁵³ Therefore, long-term food security interventions are important in advancing the standard of living of the rural poor,⁵⁵⁴ and the government should implement these interventions.⁵⁵⁵

For the purposes of this study only the significance of subsistence farming in promoting food security is examined. Subsistence farming "refers to farming and associated activities that together form a livelihood strategy, where the main output is for household consumption and the remaining output, if any, is marketed for an extra source of income".⁵⁵⁶ Subsistence farming is aimed at increasing household food production in order to enhance the availability of food in a household. Hence, subsistence farming plays a major role in enhancing food security, particularly in rural areas.⁵⁵⁷ Households engage in subsistence farming for two main reasons:⁵⁵⁸ firstly, to supplement a household's food supply and,

⁵⁵¹ See paras 2.2.1–2.2.4 of this thesis.

⁵⁵² IFSS 14 and 17.

⁵⁵³ Machethe *Agriculture and Poverty in South Africa: Can Agriculture Reduce Poverty?* 3; see also Irz *et al* 2001 *Development Policy Review* 449–466 and Tshuma 2012 *African Journal of Agricultural Research* 4015–4018.

⁵⁵⁴ Abdu-Raheem and Worth 2011 *SAJAE* 91.

⁵⁵⁵ Strategic Plan for the Department of Agriculture 2003–2006.

⁵⁵⁶ Morton 2007 PNAS 19680; see also Mudhara *Agrarian Transformation in Smallholder Agriculture in South Africa: A Diagnosis of Bottlenecks and Public Policy Options* 4–6.

⁵⁵⁷ Abdu-Raheem and Worth 2011 *SAJAE* 93.

⁵⁵⁸ Aliber and Hart 2009 *Agrekon* 439–440.

secondly, as an extra source of income. Unlike commercial farming, subsistence farming usually takes place in back gardens or on small farms. The produce can cater only for immediate food needs, and the surplus is stored for future production.⁵⁵⁹

Given the definition of subsistence farming and the reasons for it, subsistence farming is clearly a useful food security intervention. In South Africa, the IFSS borrows the definition of the Food and Agricultural Organisation⁵⁶⁰ ("FAO") in outlining its vision "to attain physical, social and economic access to sufficient, safe and nutritious food by all South Africans at all times to meet their dietary and food preferences for an active and healthy life".⁵⁶¹ In discharging this objective, the government seeks to increase food production at both the national and household levels by increasing its national food safety nets and household food production through productive agriculture, including small-scale farming.⁵⁶²

To achieve adequate household food production at household level, the government has enacted various legislative frameworks such as the ISRDS, the CRDP, the MTFS and the White Paper on Agriculture⁵⁶³ ("Agriculture White Paper") to promote agricultural production as a food security intervention. The ISRDS provides that agriculture and related activities provide a formidable basis for rural livelihoods by increasing their food supply.⁵⁶⁴ As a result of the beneficial impacts of agriculture to rural households, agrarian reform aims to promote rural livelihoods by making available valuable agricultural land.⁵⁶⁵ The CRDP provides that land reform programmes will in future make provision for landless households, including those seeking land for subsistence production and for subsistence purposes.⁵⁶⁶

⁵⁵⁹ Morton 2007 *PNAS* 19680; see also Naranjo 2012 *Agriculture and Human Values* 232–233.

⁵⁶⁰ SOFI 2001.

⁵⁶¹ IFSS 15.

⁵⁶² IFSS 19–29.

⁵⁶³ White Paper on Agriculture of 1995.

⁵⁶⁴ ISRDS para 26; see also Altman, Hart and Jacobs 2009 *Agrekon* 352–353.

⁵⁶⁵ MTFS para 38.3 and CRDP para 4.3.3.

⁵⁶⁶ CRDP para 4.3.3.

Subsistence farming require less land and subsistence farmers often combine a number of farming and non-farm activities, which include food and cash crop agriculture, horticulture, animal husbandry, forestry, hunting, fishing, agro-processing and crafts production.⁵⁶⁷ In South Africa, the importance and scarcity of agricultural land is reflected in the Agriculture White Paper, which provides that economic development and national food security depend on the availability of land and that the use of such land for other purposes should be minimised.⁵⁶⁸ One factor that may hinder the effective implementation of subsistence farming as a food security intervention is the non-availability of agricultural land.

A quick recap of the above discussion reveals two vital aspects of subsistence farming. Firstly, subsistence farming has the potential to serve as a long-term intervention in promoting food security, by increasing the availability and accessibility of food and by providing food that contains adequate dietary requirements for rural households. Secondly, subsistence farming requires the government to take proactive measures in ensuring that households have access to the necessary resources, both natural (such as land and water) and physical (such as ploughing equipment).

4.4.2 The benefits of subsistence farming in South Africa

As already indicated in paragraph 4.4.1 above, subsistence farming as a food security intervention can increase a household's food supply and income if properly implemented. In South Africa, the importance of this intervention is emphasised by the fact that the government has adopted the Rome Declaration of 2009, which provides that state parties must implement medium and long-term sustainable agricultural, food security, nutrition and rural development programmes, to enhance food security and ensuring the progressive realisation of the right to adequate food.⁵⁶⁹

⁵⁶⁷ Naranjo 2012 *Agriculture and Human Values* 233.

⁵⁶⁸ White Paper on Agriculture para 4.3.

⁵⁶⁹ Principle 3 of the Rome Declaration, 2009.

The objective of the Rome Declaration is to ensure that governments enact policies and legislative frameworks that promote agriculture, including small-scale farming, as a food security intervention aimed at increasing household food supply for vulnerable populations such as the rural poor and women.⁵⁷⁰ Taking heed of its commitments, South Africa enacted the MTSF 2009–2014, one objective of which is to halve poverty by 2014 "by improving rural development, food security and land reform".⁵⁷¹ In order to "enhance food security the government would ensure an increase in agricultural output by supporting emerging farmers and households, fencing off agricultural areas, making agricultural loans accessible, and ensuring agricultural extension services of a high quality".⁵⁷² In addition, the government should ensure that agriculture becomes a major source of income in rural households.⁵⁷³

In achieving the above objectives, South Africa would be a step closer to discharging its regional and international commitments to enhancing food security,⁵⁷⁴ ensuring that households would enjoy food sovereignty. According to the Declaration of the Forum for Food Sovereignty of 2007 ("Nyeleni Declaration"), "food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems".⁵⁷⁵ Subsistence farming empowers people, in this case subsistence farmers, to produce food that meets their dietary requirements and that is culturally acceptable for consumption. To illustrate the role of subsistence farming in promoting acceptable dietary nutrients for rural households I refer to several studies below.

⁵⁷⁰ See paras 17–27 of the Rome Declaration, 2009.

⁵⁷¹ MTSF 2009–2014 paras 10–11.

⁵⁷² MTSF 2009–2014 para 38.2.

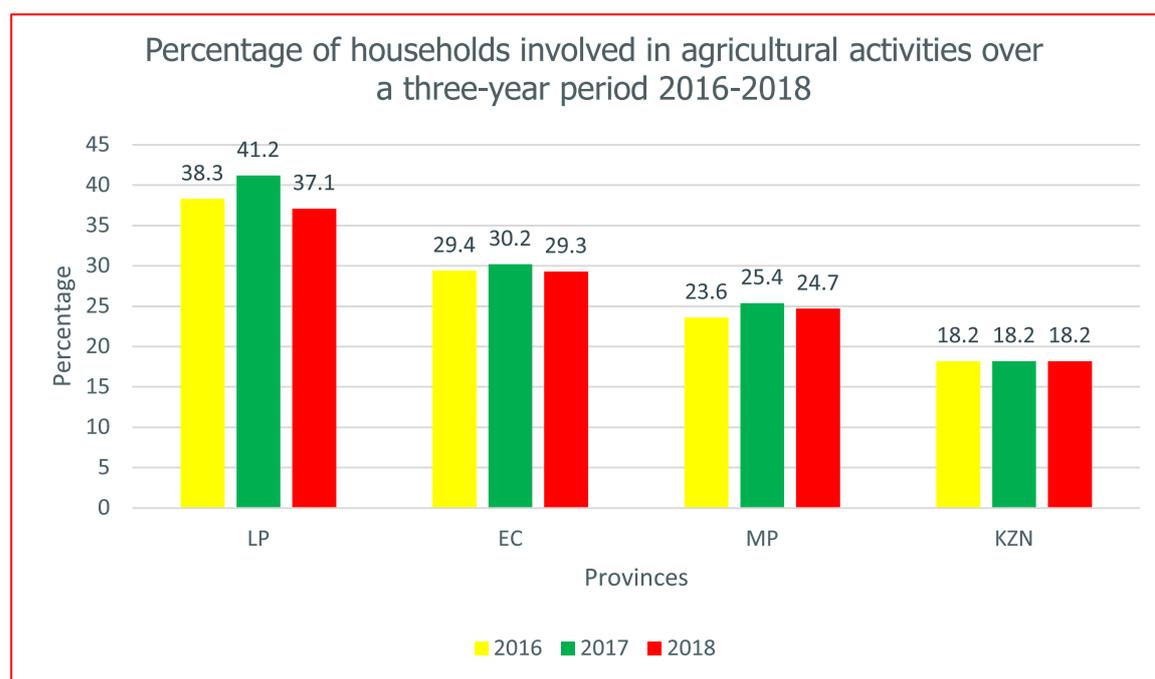
⁵⁷³ MTSF 2009–2014 para 38.3.

⁵⁷⁴ See paras 2.3.3 and 2.4.3 of this thesis.

⁵⁷⁵ Nyeleni Declaration (2007) 1; see also Windfuhr and Jonsén *Food Sovereignty: Towards Democracy in Localized Food Systems* 1–57 for a further discussion on the relationship between food sovereignty and the right to food.

According to Thandeka *et al*⁵⁷⁶ traditional leafy vegetables (TLVs), which can either be eaten as a relish or with starchy staple foods such as sorghum or maize, provide a significant daily nutritional source of food in rural households due to high compounds of calcium, zinc and vitamins. A study by Aliber and Hart⁵⁷⁷ indicates that, in the area of study, 89% of households consumed maize twice a day and 72% of the households consumed African vegetables. Furthermore, the importance of TLVs meant that maize and African vegetables were often cultivated at the same time, thereby providing food stability for a household.⁵⁷⁸ Supporting the study by Aliber and Hart, the General Household Survey (GHS) indicates that rural provinces, namely the Eastern Cape, KwaZulu-Natal, Mpumalanga and Limpopo, have the highest numbers of agricultural activities.⁵⁷⁹

TABLE 8-1: Agricultural activities in four rural provinces of South Africa



Source: Data extracted from the General Household Surveys 2016-2018

⁵⁷⁶ Thandeka et al 2011 *Indilinga – African Journal of Indigenous Knowledge Systems* 195–198; see also Uusiku et al 2010 *Journal of Food Composition and Analysis* 499–509.

⁵⁷⁷ Aliber and Hart 2009 *Agrekon* 448–450.

⁵⁷⁸ Aliber and Hart 2009 *Agrekon* 450.

⁵⁷⁹ See GHS (2016) 61-62.

Table 8-1 indicates that rural provinces have over the years increased their intensity of subsistence farming,⁵⁸⁰ indicating the importance of subsistence agriculture in enhancing food security. This conclusion is based on the fact that the GHS of 2013 shows that 51.7% of households cultivated grains and related crops and about 45.2% cultivated fruit and vegetable crops.⁵⁸¹ This finding complements studies by Thandeka *et al*⁵⁸² and Uusiku *et al* that starchy staple foods provide a substantial source of food for rural households in sub-Saharan Africa. Therefore, it is not surprising that many rural households in South Africa cultivate maize to supplement their food supply.⁵⁸³ Furthermore, the cultivation of starchy foods and TLVs is prevalent because they are both culturally acceptable to those who consume them, with biodiversity, indigenous knowledge and taste preferences of consumers often determining a household's consumption of TLVs.⁵⁸⁴

The benefits of subsistence farming are centred on ensuring food stability, and reducing poverty and unemployment.⁵⁸⁵ However, despite these benefits, subsistence farming is not an easy food security intervention to implement because of external factors, such as the availability of natural resources, mainly land and water, and market access for subsistence farmers, which hamper the efficiency of subsistence farming.⁵⁸⁶ One aspect in particular that negatively

⁵⁸⁰ Except KwaZulu-Natal and Mpumalanga, which have shown a slight decline in agricultural activities.

⁵⁸¹ GHS (2013) 59–60.

⁵⁸² Thandeka *et al* 2011 *Indilinga – African Journal of Indigenous Knowledge Systems* 195–209; see also Uusiku *et al* 2010 *Journal of Food Composition and Analysis* 499–509.

⁵⁸³ Mphinyane and Terblanché 2005 *SAJAE* 221–241; see also Du Toit and Nemadodzi 2008 *SAJAE* 132–142.

⁵⁸⁴ See Kimiywe *et al* 2007 *AJFAND* 1–15; see also Vorster, Stevens and Steyn 2008 *SAJAE* 89–92.

⁵⁸⁵ Irz *et al* 2001 *Development Policy Review* 452–456; see also Machelo Agriculture and Poverty in South Africa: Can Agriculture Reduce Poverty? 3.

⁵⁸⁶ See Irz *et al* 2001 *Development Policy Review* 449–466; Mukwevho and Anim 2014 *Journal of Human Ecology* 219–225; Delgado *et al* 2008 *IFPRI Research Report* 1–131 and Delgado 1999 *Agrekon* 165–189 on the challenges that subsistence farmers encounter in accessing markets; see Fanadzo 2012 *African Journal of Agricultural Research* 1956–1969; Tshuma 2012 *African Journal of Agricultural Research* 1970–1975 and Tshuma 2014 *African Journal of Agricultural Research* 2409–2418 on the challenges that subsistence farmers encounter in accessing natural resources such as water and land. These disadvantages are discussed in detail in chapter 5 below.

affects subsistence farming is the availability of technical knowledge on farming, commonly known as extension services.⁵⁸⁷

4.4.3 Agricultural extension services as support systems for subsistence farmers in South Africa

4.4.3.1 Introduction

One principle of the Declaration of the International Conference on Agrarian Reform and Rural Development of 2006 ("ICARRD, 2006") was that governments should provide support for applied research, technology development and transfer by national and international research institutions. This includes extension services in order to meet the needs of women farmers, traditional and family agriculture, and other smallholder producers, as well as traditional rural communities and indigenous groups, with the aim of promoting sustainable production systems. The above principle implies that the effectiveness of subsistence farming is dependent on effective government support systems for subsistence farmers. Effective support programmes such as agricultural extensions on the part of the government can go a long way in ensuring that subsistence farmers produce enough food for consumption and as a means of extra income.⁵⁸⁸ In the discussion that follows, the definition of the concept of extension is examined. Secondly, the different models and views of extension services in relation to subsistence farming are analysed. Thirdly, the prevailing impact of extension services on subsistence farming are discussed.

4.4.3.2 The definition of extension services

Agricultural extension refers to the offering of technical advice on agriculture to farmers and supplying farmers with the necessary inputs and services to support their agricultural production.⁵⁸⁹ Extension services are defined

⁵⁸⁷ Abdu-Raheem and Worth 2011 *SAJAE* 91.

⁵⁸⁸ Matshe 2009 *Agrekon* 483–511.

⁵⁸⁹ Abdu-Raheem and Worth 2011 *SAJAE* 95–97.

"as a service or system that assists farm people, through educational procedures, to improve farming methods and techniques, thus increasing production efficiency and income, bettering their standard of living and improving the social and educational standards of rural life".⁵⁹⁰

Such services are more than a transfer of specific skills and training that enhances agricultural productivity; they are aimed at the overall socio-economic well-being of households. This argument is complemented by the CAADP, which provides that agricultural research and extension is a key factor in increasing agricultural productivity and thereby helping to stimulate growth, generate income and reduce poverty.⁵⁹¹ The effectiveness of extension systems lies in their relevance to agricultural and rural livelihood sustainability.⁵⁹² Extension services should meet the relevant needs of subsistence farmers, which include enhancing food security.

4.4.3.3 The models of and views on extension services

In South Africa, there are two views on agricultural extension, the modern and the traditional view.⁵⁹³ The traditional view is more centralised and the extension agent is the central figure. In this view, the extension agent controls the extension process to the exclusion of the farmer.

The modern view provides for principles such as participation and facilitation, which focus on to identifying the needs of the farmer.⁵⁹⁴ The modern view allows for a more proactive approach to extension services, with the farmers being involved in the extension process. Hence, the modern concept of extension is important in ensuring sustainable subsistence farming in rural communities due to the specific economic and natural resource determinants of rural areas.⁵⁹⁵ For subsistence farming to be sustainable, extension agents should understand the diversities in farming and the coping strategies of individual small-scale

⁵⁹⁰ Zwane 2012 *SAJAE* 18.

⁵⁹¹ CAADP para 5.2.2.

⁵⁹² Magoro and Hlungwani 2014 *International Journal of Agricultural Extension* 89–92; see also Ngomane 2005 *SAJAE* 214–215.

⁵⁹³ Terblanche 2008 *SAJAE* 61–62.

⁵⁹⁴ Terblanche 2008 *SAJAE* 62.

⁵⁹⁵ Modiselle *et al*/2005 *SAJAE* 305.

farmers.⁵⁹⁶ To ensure that farmers, specifically subsistence farmers, are integrated within the different paradigms of extension services, the modern view of extension presents a number of extension models, namely⁵⁹⁷ technology transfer, advisory services, non-formal education and facilitation extension. These models are important in enhancing subsistence farming; however, for the purposes of this study, I look at their role in assisting subsistence farmers to improve their agricultural productivity.

Firstly, technological transfer

"may include the adoption of new technologies by farmers that aim to increase production, such as choice of crop or product to meet market requirements, timing production to market needs, and post-harvest technologies for information on storage, processing and post-harvest handling practices".⁵⁹⁸

Secondly, the concept of advisory services

"refers to farmers being granted the opportunity to access information from relevant sources when they need advice and being given adequate and timely advice on new technologies suitable to their socio-economic and agro-ecological circumstances".⁵⁹⁹ Advisory services are participatory in nature and require extension officers to guide and lead farmers based on their own requirements.⁶⁰⁰

Thirdly, non-formal education and facilitation extension services

"refer to extension services that require the farmer to be hands-on; for example, farmer-to-farmer learning aimed at empowering farmers to share their knowledge on new technologies and marketing skills with other farmers".⁶⁰¹

For extension services to be effective, the needs, circumstances and diversities presented by subsistence farming should be the point of departure. For example, in South Africa, subsistence farming in most rural households forms part of the multiple-activity pathways out of food insecurity. This pathway "refers to rural

⁵⁹⁶ Modiselle *et al* 2005 *SAJAE* 310.

⁵⁹⁷ Abdu-Raheem and Worth 2011 *SAJAE* 96–97.

⁵⁹⁸ Rivera 2009 *Journal of International Agricultural and Extension Education* 56.

⁵⁹⁹ Anderson and Feder 2004 *The World Bank Research Observer* 42.

⁶⁰⁰ Terblanché 2005 *SAJAE* 175–178; Birner *et al* 2009 *Journal of Agricultural Education and Extension* 343–351.

⁶⁰¹ Rivera 2009 *Journal of International Agricultural and Extension Education* 50–51; Allahyari 2009 *African Journal of Agricultural Research* 784–785.

households using off-farm income sources as their main means of livelihood, and agricultural production as secondary".⁶⁰² Therefore, a model of extension that aims to enhance subsistence farming as a food security intervention should consider the unique situation of most households, which have multiple sources of incomes with agriculture being but one of them.

4.4.3.4 The role of extension services in enhancing subsistence farming

This section examines the prevailing conditions of subsistence farmers in South Africa and the extension services available to such farmers. The importance of extension services is indicated by government policies such as the White Paper on Agriculture, the CRDP and the MTSF 2009–2014. Paragraph 8 of the White Paper on Agriculture provides that, in providing agricultural extension services, the government should prioritise the needs of all farmers, including subsistence farmers who were denied effective extension services during apartheid.⁶⁰³ Furthermore, to ensure that subsistence farmers have equitable access to effective extension services, a participatory model that is facilitative in nature and demand-driven is proposed, to enable farmers to gainfully benefit from both extension research and the local knowledge on farming practices.⁶⁰⁴ In addition, the CRDP provides that for agrarian reform to be successful, appropriate technologies, modern approaches and indigenous knowledge systems must be used to improve agrarian reform.⁶⁰⁵

In essence, extension knowledge is valuable in improving a household's farming practices and farm yields, thus enhancing food security.⁶⁰⁶ Subsistence farmers that have access to extension services are more likely to adopt new farming technologies than those who do not have access to such services.⁶⁰⁷ Subsistence farmers who do not have access to proper extension services lack the knowledge

⁶⁰² Abdu-Raheem and Worth 2011 *SAJAE* 94; see also Rivera and Qamar Agricultural Extension, Rural Development and the Food Security Challenge 27.

⁶⁰³ See paras 8.4 and 8.6 of the White Paper on Agriculture; see also MTSF para 38.2.

⁶⁰⁴ See paras 8.6–8.9 of the White Paper on Agriculture.

⁶⁰⁵ CRDP para 4.3.1.

⁶⁰⁶ Zwane 2012 *SAJAE* 19.

⁶⁰⁷ Diale 2011 *SAJAE* 80.

of the best cropping technologies, which results in subsistence produce being enough only for immediate consumption.⁶⁰⁸ Extension services are therefore vital in communicating useful information to farmers, such as the use of new seed technologies, and pest and weed control to ensure optimal and quality production yields.⁶⁰⁹ A study by Ndoro, Mudhara and Chimonyo⁶¹⁰ indicates that, in the case of beef cattle farming, farmers who participated in extension programmes produced more calves and farmers involved in farmer-to-farmer sessions utilised veterinary services the most.

Cockburn *et al*⁶¹¹ note that in KwaZulu-Natal subsistence sugar cane growers have increased their yields as a result of increased extension activities. It is clear that extension services play an all-important role in improving the farming practices of subsistence farmers and in ensuring that farmers produce quality and marketable produce, which will enhance the farmers' chances of using their produce as a supplementary income.

Although extension services offer a lot of positives for subsistence farmers, extension knowledge will be futile if improperly implemented. Some of the factors that defeat the purpose of extension knowledge are failure by extension officers to incorporate the existing knowledge farmers possess with modern extension technologies, failure to identify the needs of the farmers, and the cultural background of farmers. Abdu-Raheem and Worth⁶¹² note that one goal of extension services is local knowledge facilitation.

Extension officers should adopt a participatory approach in introducing new knowledge and sustainable technologies to subsistence farmers. The role of an extension officer is to ensure that farmers are part of a broader partnership of various government institutions that aim to understand the farmers' needs.⁶¹³ Extension knowledge should be aware of the community's biodiversity by giving

⁶⁰⁸ Mukhala and Groenewald 1998 *SAJAE* 9–13.

⁶⁰⁹ Mphinyane and Terblanché 2005 *SAJAE* 233–238.

⁶¹⁰ Ndoro, Mudhara and Chimonyo 2014 *SAJAE* 76.

⁶¹¹ Cockburn *et al* 2014 *SAJAE* 81–91.

⁶¹² Abdu-Raheem and Worth 2013 *SAJAE* 9.

⁶¹³ Terblanché 2005 *SAJAE* 171–178; see also Düvel 2005 *SAJAE* 188–200.

effect to the cultivation of traditional foods rather than being quick to introduce new exotic foods.⁶¹⁴ In addition, extension knowledge should have regard to the culture and cultural beliefs of the communities by developing technologies that adhere to such beliefs.⁶¹⁵ The role of extension services cannot be underestimated in ensuring that subsistence farming becomes an effective household food security intervention as well as a socio-economic empowering tool that will ensure that subsistence farmers contribute to rural development.⁶¹⁶

4.5 Conclusion

This chapter described the role of social grants and subsistence farming in reducing household food insecurity, as envisaged in section 27(1)(b) of the *Constitution*. The chapter showed that social grants are important in reducing immediate food insecurity. The relevance of these interventions is indicated by the increase in the number of social grant recipients over the years. The high rise in social grant recipients reveals the dire socio-economic needs of the majority of the population and the need to develop a sustainable food security intervention to ensure that food needs are met at all times. Although the impact of social grants is minimal in achieving and realising the right to adequate food when viewed in terms of the international standard set out in General Comment 12, in South Africa the provision of social grants ensures that vulnerable households enjoy the basic minimum right of access to sufficient food. Compared to the US welfare system, South Africa has fewer stringent conditions for accessing social grants. This allows a wide variety of people to qualify and means that more households have access to food. The disadvantage in South Africa is that the social welfare system creates a dependency syndrome, with recipients of social grants sometimes not attempting to find gainful employment.

Furthermore, the chapter showed that long-term food security interventions, such as subsistence farming, provide a more sustainable strategy for ensuring that poverty-stricken households can cultivate and produce their own food. The

⁶¹⁴ Vorster, Stevens and Steyn 2008 *SAJAE* 89–91.

⁶¹⁵ Vorster, Stevens and Steyn 2008 *SAJAE* 89.

⁶¹⁶ See para 2.5 of this thesis.

food produced may not only be for immediate consumption but can also be stored and consumed later. If adequate quantities can be produced, food can be sold to augment the household income. This intervention also provides a means of enabling households to enjoy food sovereignty, which is inherent in the full realisation of the right to food as contained in international and regional food-specific instruments; not only does subsistence farming enable households to have access to food at all times but it also allows such households to enjoy food that meets their cultural and biodiversity needs. Moreover, subsistence farming reduces dependence on social grants, thereby enabling the government to channel funds to long-term food security interventions. Additional funds can also be used to enhance extension services, which are vital in promoting subsistence farming.

Chapter 5: The viability of subsistence farming as a long-term food security strategy in South Africa: Prevailing realities

5 The viability of subsistence farming as a food security intervention in rural households

5.1 Introduction

Chapter 4 showed that subsistence farming, if properly implemented, has the potential to provide an effective food security intervention at household level. Subsistence farming, unlike social grants, allows households to enjoy access to food and enables households to determine the types of foods that are acceptable in relation to dietary and biodiversity requirements.⁶¹⁷ Subsistence farming is therefore an important food security intervention in a country like South Africa, where the majority of the population are Africans. Some foods are consumed because they are considered staple in their communities or culturally acceptable according to their beliefs.⁶¹⁸ Therefore, in line with the elements of the right to food as outlined in paragraph 2.2, subsistence farming enables households to enjoy both the right to have access to sufficient food and food sovereignty.

This chapter examines the role of subsistence farming in alleviating food insecurity at household level. The chapter presents an analysis of the data extracted from existing case studies on subsistence farming conducted within a five-year period. The chapter aims to show what subsistence farming as a food security intervention has achieved at household level in rural communities. Firstly, specific international instruments and conventions, regional instruments and national laws that promote subsistence farming as a food security strategy are discussed. Secondly, case studies conducted on the viability of subsistence farming as a food security intervention are analysed and discussed with reference to the relevant literature, legislation and policies.

⁶¹⁷ Para 4.4.1 of this thesis.

⁶¹⁸ Para 4.4.2 of this thesis.

5.2 Legal instruments supporting subsistence farming as a food security strategy

This section analyses specific international and regional instruments and national laws and policies that promote agriculture, with specific reference to subsistence farming as a food security strategy. The discussion of international and regional instruments will lay a foundation for South Africa's food security strategy, as defined in the National Development Plan 2030, the Agricultural Policy Action Plan (APAP) and the Fetsa Tlala programme, among others.

5.2.1 International conventions and instruments supporting subsistence farming as a food security strategy

As indicated in chapter 2, the right to food enjoys international recognition. This is evidenced by a plethora of international human rights instruments that take cognisance of this right and place obligations on governments to adopt measures to realise this right. Paragraph 12 of the Millennium Declaration calls upon state parties to create an environment that will enable governments to eradicate food insecurity. Article 25(1) of the UDHR provides that every person has a right to a standard of living adequate for his or her health and that of his or her family, including the right to food. In order to achieve adequate food security, state parties and governments are encouraged to undertake activities aimed at promoting food self-sufficiency within the context of sustainable agriculture.⁶¹⁹ Agricultural production must be used to attain basic food security by promoting the production of micronutrient-rich foods in the context of small farms.⁶²⁰ This brings to the fore the central aim of the UN Principles and Guidelines on Poverty Interventions, namely to assist countries in translating human rights norms, standards and principles into pro-poor policies and strategies.⁶²¹ Para 182 of the

⁶¹⁹ Agenda 21 para 3.8 (1).

⁶²⁰ Headey 2013 *IFPRI Discussion Paper* 10.

⁶²¹ Foreword to the UN Principles and Guidelines on Poverty Interventions (2006).

UN Principles and Guidelines on Poverty Interventions identifies three major elements in respect of agriculture as a food security intervention,⁶²²

"which states should consider when giving effect to poverty alleviation policies, namely:

- States should promote policies that bear positively on the underlying determinates of health, especially those that are beneficial for the poor, such as supporting agricultural policies that have positive health outcomes for the poor eg food security;
- States should identify measures that address the negative impact of agricultural policies; and
- States should promote income-generating activities".

The above elements are integral to using agricultural strategies in realising the right to have access to food because they aim to empower the poor to be self-sufficient in producing food. This is in accordance with article 11(2) of the ICESCR, which provides that state parties should recognise the fundamental right of everyone to be free from hunger. This provision requires state parties to take the measures, including specific programmes that are needed to improve methods of production, conservation and distribution of food, by disseminating knowledge of the principles of nutrition, including developing or reforming agrarian systems. In simple terms, the above provisions promote food sovereignty. Food sovereignty stresses the importance of local food security through local production rather than for income purposes.⁶²³

The international instruments and conventions that promote subsistence agriculture as a food security intervention are analysed below.

⁶²² Para 182 of the UN Principles and Guidelines on Poverty Interventions.

⁶²³ Anderson and Bellows 2012 *Agriculture and Human Values* 182.

5.2.1.1 United Nations Conference on Environment and Development (Agenda 21) and United Nations Conference on Human Settlements (Habitat II)

The central objective of these two Declarations is to ensure a better quality of life for all people by tackling poverty. Agenda 21 calls for states to enact country-specific poverty alleviation programmes within the broader context of sustainable development.⁶²⁴ This goal is consistent with the observations in SOFI 2019⁶²⁵, which provide that the eradication of hunger is a major step in poverty reduction. Governments should try to ensure the realisation of the right to have access to food within the context of sustainable livelihoods.⁶²⁶ In order to ensure sustainable livelihoods in reducing food insecurity, agricultural production must be increased through subsistence and family farming.⁶²⁷

Habitat II places sustainable agriculture and improved agricultural technologies at the centre of maintaining and developing sustainable rural settlements.⁶²⁸ Such an obligation is consistent with principle 3 of the Rome Declaration, 2009, which views rural development as an integral component of overcoming food insecurity and improving access to food, by implementing effective evidence-based policies that ensure access to food, address malnutrition and enable smallholders to access technologies.⁶²⁹ Subsistence agriculture plays a vital role in meeting the basic food needs of rural communities and in promoting food security. One action plan of Habitat II is to ensure the development of rural communities by fostering a sustainable and diversified agricultural system.⁶³⁰

Habitat II reflects a model of structural transformation that places agriculture at the centre of poverty in rural communities. This model indicates that in countries where 70 to 80% of the rural population derive their income from agriculture,

⁶²⁴ Agenda 21 chapter 3.

⁶²⁵ SOFI (2019) 115-118.

⁶²⁶ See the discussion of the concept of "sustainable livelihoods" in para 3.4.2.2 of this thesis.

⁶²⁷ SOFI (2015) 27-33.

⁶²⁸ Habitat II para 106.

⁶²⁹ Rome Declaration, 2009 paras 17 and 19.

⁶³⁰ Habitat II para 165.

poverty reduction depends on agricultural productivity growth.⁶³¹ Structural transformation refers to the reallocation of economic activity across the broad sectors of agriculture, manufacturing and services.⁶³² Timmer and Akkus⁶³³ state that in agriculture, structural transformation "entails an economic development process whereby agriculture, through higher productivity, provides food, labour and savings to individuals and households". Research indicates that agricultural income growth is more effective in reducing food insecurity than growth in other sectors, because "(a) the incidence of poverty tends to be higher in agricultural and rural settlements and (b) the most poverty-stricken populations live in rural areas and depend on agriculture for a living".⁶³⁴ Hence, the international community acknowledges the need to revive traditional and family agriculture, and other smallholder production, with the aim of using such agricultural production as a means of contributing to food security.⁶³⁵ As will be seen in the discussion that follows, agriculture is the most effective pathway for keeping most rural households from plunging into chronic food insecurity in South Africa.⁶³⁶

The importance of agricultural production as a means of ensuring rural household food security dates back to the 1970s. According to the Universal Declaration on the Eradication of Hunger and Malnutrition⁶³⁷, governments should bring about transformation in agrarian policies, including the taking of appropriate measures to ensure that women in agricultural production obtain the necessary education, extension programmes and financial facilities. Governments should enact policies that aim to reduce food insecurity and promote rural development.

In terms of para 14.2 of Agenda 21 the main objective of sustainable agriculture and rural development ("SARD") is to increase food production in a sustainable

⁶³¹ Jayne *et al* 2003 *Food Policy* 255–271.

⁶³² Herrendorf, Rogerson and Valentinyi *Growth and Structural Transformation* 3.

⁶³³ Timmer and Akkus 2008 *CGDEV Working Paper* 3–4.

⁶³⁴ Cervantes-Godoy and Dewbre 2010 *OECD Working Papers* 5.

⁶³⁵ ICARRD para 11.

⁶³⁶ See paras 5.3.1–5.3.4 of this thesis.

⁶³⁷ Para 4 of the Universal Declaration on the Eradication of Hunger and Malnutrition of 1974.

way and to enhance food security. In order to achieve this objective, governments should enact appropriate national policy frameworks and agrarian reform that address food security, including adequate levels and stability of food supply and access to food by all households.⁶³⁸ Sustainable agriculture thus provides a viable food security intervention and also promotes food sovereignty, because food sovereignty emphasises the need to promote locally-orientated small-scale agriculture production for consumption rather than for trade.⁶³⁹

5.2.1.2 Beijing Declaration and Platform for Action and Human Rights Council 7th Session, Agenda item 3 Report of the Special Rapporteur on the right to food (2008)

The Beijing Declaration recognises the need to involve women in the fight to eradicate poverty. Paragraph 16 states that the eradication of poverty based on sustained economic growth, social development, environmental protection and social justice requires the involvement of women in economic and social development. This is consistent with the Copenhagen Declaration, which provides that more women than men live in absolute poverty.⁶⁴⁰ Women need to be empowered so that their full potential is realised,⁶⁴¹ especially because women, remain socio-economically disadvantaged, and dominate urban and rural subsistence agriculture.⁶⁴²

Despite being dominant in subsistence agricultural practices, women, especially in Africa, lack access to resources such as land, water rights and livestock, which

⁶³⁸ Paras 14.5–14.9 of Agenda 21.

⁶³⁹ Paras 71–74 of Human Rights Council 7th Session, Agenda item 3 Report of the Special Rapporteur on the right to food by Jean Ziegler (2008).

⁶⁴⁰ Copenhagen Declaration para 16(g).

⁶⁴¹ See para 58(e) of the Beijing Declaration, which provides "that governments should develop agricultural and fishing sectors, where and as necessary, in order to ensure, as appropriate, household and national food security and food self-sufficiency, by allocating the necessary financial, technical and human resources".

⁶⁴² See also Tibesigwa and Visser 2015 *ERSA Working Paper* 6 and Mmbengwa *et al* 2012 *African Journal of Business Management* 7163–7164.

are necessary to ensure efficient production.⁶⁴³ Guideline 17.5 of the FAO Voluntary Guidelines provides that

"states should monitor the food security situation of vulnerable groups, especially women, children and the elderly, and their nutritional status, including the prevalence of micronutrient deficiencies".

Guideline 2.6 provides that

"where hunger and poverty is predominant, like in rural settlements, governments should focus on sustainable agricultural and rural development by taking measures to improve access to land, water, appropriate and affordable technologies, productive and financial resources, thereby enhancing the productivity of poor rural communities".

Governments are therefore obligated to develop and implement specific economic, social, agricultural policies in support of female-headed households.⁶⁴⁴

This emphasis on supporting women subsistence farmers is acknowledged in the Report of the Special Rapporteur on the right to food of 2008, which provides that "women play a vital role in the production and preparation of food, in agriculture and in earning incomes to feed their families".⁶⁴⁵ According to the same report, "women produce 60 to 80% of food crops in developing countries and therefore play a crucial part in ensuring the food security of households". In a 2012 study, Kongolo⁶⁴⁶ indicated that about 30% of the population in the North-West Province were engaged in informal and subsistence farming. Women are also the principal managers in the Farmer Support Programmes, forming the majority source of labour in major field operations such as planting, watering, harvesting and threshing. Since agriculture forms the crux of most African countries' economies, including South Africa,⁶⁴⁷ governments are obliged to

⁶⁴³ Musemwa et al 2013 *Journal of Development and Agricultural Economics* 89.

⁶⁴⁴ Beijing Declaration para 58(i).

⁶⁴⁵ Para 33 of the Human Rights Council 7th Session, Agenda item 3 Report of the Special Rapporteur on the right to food by Jean Ziegler (2008).

⁶⁴⁶ Kongolo 2012 *African Journal of Agricultural Research* 353.

⁶⁴⁷ Tshuma 2014 *African Journal of Agricultural Research* 2410–2413.

ensure the development of policies that benefit low-income communities, and rural and agricultural development.⁶⁴⁸

5.2.1.3 FAO Voluntary Guidelines and Human Rights Council: Resolution 7/14: The right to food

As noted in paragraph 5.2.1.2 above, the FAO Voluntary Guidelines provide important guidance for governments to empower female subsistence farmers. These guidelines also contain general provisions on how states should enhance subsistence agriculture. Guideline 2.5 provides that "states should pursue inclusive, non-discriminatory and sound economic, agriculture and land reform policies that allow farmers and food producers, including women, to earn a fair return for their labour". This guideline indicates the importance of subsistence agriculture in promoting general household food security.

This guideline is supported by Resolution 7/14 of 2008,

"which provides that the UN Human Rights Council is concerned with the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which has resulted in massive loss of life and livelihood and threatened agricultural production and food security, especially in developing countries".⁶⁴⁹

Governments are obliged to adopt new agroecological farming systems that will enable subsistence farmers to yield better productions through their farming.

Kremen, Iles and Bacon⁶⁵⁰ define agroecology "as an inter- or transdisciplinary science, a set of sustainable farming practices, and/or a social movement". However, for the purposes of this study, agroecology refers to a set of sustainable farming practices. A form of agroecology system termed diversified farming systems ("DFS") "refers to a farming system as "diversified" when it intentionally includes functional biodiversity at multiple spatial and/or temporal scales, through practices developed via traditional and/or agroecological scientific

⁶⁴⁸ Copenhagen Programme of Action para 27(c).

⁶⁴⁹ Human Rights Council Resolution 7/14 of 27 March 2008 (Preamble) para 14.

⁶⁵⁰ Kremen, Iles and Bacon 2012 *Ecology and Society* 45.

knowledge".⁶⁵¹ Agroecological farming systems are important because they are "(a) resilient to climatic changes, (b) resistant to pests in the long term; and (c) adaptable to changing conditions due to being rooted in local traditional knowledge, crop and livestock diversification, and a high degree of agro-biodiversity that allows for future adaptation".⁶⁵² Agroecological farming systems play a vital role in promoting sustainable agricultural practices by limiting some of the external factors that affect the resilience of subsistence farming, such as climate change.

Therefore, sustainable agroecological farming systems are important in subsistence agriculture because smallholder, subsistence and pastoral systems are vulnerable to environmental natural hazards.⁶⁵³ The adoption of conservation farming practices in subsistence farming, including smallholder irrigation schemes ("SIS"), has three main benefits namely⁶⁵⁴ "(a) the potential to reduce in labour requirements in peak operations of land preparation and weeding, (b) increasing food security by making more efficient use of irrigation water and by increasing soil fertility, and (c) reducing production costs, such as hand labour and fertiliser use".⁶⁵⁵

All the above benefits form part of sustainable cropping systems, which are vital to increasing production yields for subsistence farmers. The benefits of agroecological farming systems are also recognised in Guideline 8.13 of the FAO Voluntary Guidelines, which provides "that states should enact specific national policies to protect ecological sustainability and the carrying capacity of ecosystems in ensuring increased, sustainable food production for present and future generations, preventing water pollution, and protecting the fertility of the soil, among other aspects."

⁶⁵¹ Kremen, Iles and Bacon 2012 *Ecology and Society* 45.

⁶⁵² Silici 2014 *IIED Issue Paper* 13.

⁶⁵³ Morton 2007 *PNAS* 19681–19682.

⁶⁵⁴ Fanadzo 2012 *African Journal of Agricultural Research* 1965.

⁶⁵⁵ Fanadzo 2012 *African Journal of Agricultural Research* 1965.

5.2.2 Regional instruments supporting subsistence farming as a food security strategy

Poverty and food insecurity (which negatively affect the right to have access to food) in Africa are highlighted in paragraph 2.4.2 above. Sub-Saharan Africa has the most impoverished population in Africa.⁶⁵⁶ As a result, African governments have over the years enacted regional policies that aim to progressively realise the right to have access to food. These policies aim to ensure immediate food availability and are designed to provide long-term food security interventions. In the discussion that follows some of the most pertinent regional instruments that promote subsistence agriculture as a food security intervention are analysed and discussed.

5.2.2.1 Ouagadougou Declaration of 2004 and Sirte Declaration of 2004

In September 2004, African governments gathered in Ouagadougou, Burkina Faso to adopt the Declaration on Employment and Poverty Alleviation in Africa ("Ouagadougou Declaration"). Food insecurity was one of the major concerns the governments in Africa, raised as a condition that would prevent African countries from attaining goal 1 of the MDGs.⁶⁵⁷ Given the number of undernourished people reported in the 2015-2020 SOFI;⁶⁵⁸ it is clear that Africa is still a long way from achieving goal 1 of the MDGs, as well as goals 1 and 2 of the SDGs.⁶⁵⁹

Literature also indicates that food insecurity in Africa is mostly embedded in rural areas. In Nigeria, poverty is a rural phenomenon, and has in the past years risen and become more severe than in urban areas.⁶⁶⁰ Moreover, factors such as government policies that are biased towards urban development, the geographical location of rural settlements, and dependence by rural households

⁶⁵⁶ See para 2.4.3 of this thesis.

⁶⁵⁷ See para 2.3.3 of this thesis.

⁶⁵⁸ See table 1-1 in para 2.4.2 of this thesis and SOFI (2020) 10-11.

⁶⁵⁹ Goal 1 of the SDGs aims to end poverty in all its forms everywhere, while Goal 2 of the SDGs aims to end hunger, achieve food security and improved nutrition, and promote sustainable agriculture.

⁶⁶⁰ Anyanwu 2012 *ADBG Working Paper Series 9*.

on agricultural production exacerbate high incidences of poverty in rural areas.⁶⁶¹ This indicates that poverty is the main factor that perpetuates unequal access to the resources of production in rural Africa.⁶⁶² The availability of resources, both physical and infrastructural, plays a significant role in the fight against poverty, especially in rural communities. Therefore, rural areas need to be transformed by "policies that reduce income risk, and provide access to modern technology, financial services and markets, to increase productivity in the rural sector".⁶⁶³

In South Africa, the government should adopt agricultural reform policies that modernise subsistence farming. This will ensure that subsistence farmers and producers have access to both natural and fiscal resources to engage in efficient farming, and result in better yields, giving households access to food and extra income from surplus produce. In order to tackle poverty in Africa, the Ouagadougou Declaration requires governments to implement programmes that promote poverty reduction and productive employment creation, especially in the fields of infrastructure, agriculture and rural development, among others.⁶⁶⁴ The Ouagadougou Declaration draws from the Sirte Declaration on the Challenges of Implementing Integrated and Sustainable Development on Agriculture and Water in Africa ("Sirte Declaration").⁶⁶⁵ The aim of the Sirte Declaration was to make African governments aware of the need to use scientific research for agricultural planning to tackle the problems of desertification, soil and water conservation, and environmental protection for sustainable agriculture.⁶⁶⁶

The Sirte Declaration is significant in ensuring that subsistence farmers adopt efficient farming practices in order to counter factors such as limited natural resources and climatic changes that impact negatively on agricultural production.⁶⁶⁷ The effects of climatic change, such as high temperatures and

⁶⁶¹ Anyanwu 2012 *ADBG Working Paper Series* 14–18.

⁶⁶² Bowden and Mosley 2012 *Working Paper* 5–8.

⁶⁶³ Shimeles 2014 *IZA Discussion Paper* 14.

⁶⁶⁴ Ouagadougou Declaration para 15.

⁶⁶⁵ The Sirte Declaration was adopted at the 2nd Extraordinary Session of the African Union in the Great Socialist People's Libyan Arab Jamahiriya from 27 to 28 February 2004.

⁶⁶⁶ Sirte Declaration para 9 of the Preamble.

⁶⁶⁷ Sirte Declaration para 5.

frequent droughts, on agriculture contribute greatly to food insecurity because of their negative impact on crop and livestock productivity, which substantially supplement household food requirements in rural communities.⁶⁶⁸

Rural households are mostly food insecure and their dependence on rain-fed homestead farming means that erratic weather events are likely to increase food insecurity.⁶⁶⁹ Therefore, governments are obligated to adopt food security strategies and policies that ensure a viable subsistence agriculture sector and enable subsistence farmers to adjust to natural and climatic changes. Such programmes are important and consistent with Goal 13.2 of the SDGs, which places a duty on states to integrate climate change measures into national policies, strategies and planning. The right to have access to food can never be progressively realised in the absence of proper adaptive strategies that enable subsistence farmers to combat the external factors that impact on their agricultural production.

5.2.2.2 Comprehensive Africa Agriculture Development Programme and Agenda 2063

The overall aim of these regional policies is to eradicate food insecurity by enhancing agricultural production in Africa. The Comprehensive Africa Agriculture Development Programme ("CAADP") aims to alert African governments to the need to adopt policies that will make a difference to Africa's agricultural sector.⁶⁷⁰ African governments are encouraged to adopt policies that promote agriculture as the engine of economic growth.

This goal is consistent with the viewpoint advanced in the World Development Report: Agriculture for Development of 2008 ("WRD, 2008"), which states that agriculture is an effective engine for growth for most agriculture-based countries because it enables them to produce most of their own food.⁶⁷¹ In addition,

⁶⁶⁸ Musemwa *et al* 2015 *Food Security* 652.

⁶⁶⁹ Tibesigwa, Visser and Twine 2014 *ERSA Working Paper* 18–19.

⁶⁷⁰ CAADP para 1.1.

⁶⁷¹ WRD (2008) 34.

agriculture plays two crucial roles in agriculture-based countries, namely the staple food crop sector, which enhances household food security, and the non-staple crop sector, which contributes to the export industry.⁶⁷² As a result, agriculture, especially the staple food sector, is significant in advancing the realisation of the right to have access to food.

The focus area of Agenda 2063⁶⁷³ is to consolidate the modernisation of African agriculture by eradicating hunger and food insecurity, reducing the importation of food and promoting intra-African trade in agriculture, and to advocate for policies that enable women to access land and agricultural financing.⁶⁷⁴ Agenda 2063 aims to ensure that extreme food insecurity is reduced and that agriculture is used as a pro-poor growth intervention, by increasing the poor's access to improved agricultural input and the adoption of modern and traditional technologies that support farming.⁶⁷⁵

The SADC Regional Agricultural Policy ("RAP") of 2014 recognises the importance of agriculture in improving economic growth, socio-economic development and poverty reduction, through access to sufficient and safe food and the promotion of small-scale farming.⁶⁷⁶ Hence, the overall objective of this regional policy is to ensure sustainable agricultural growth and socio-economic development, including the reduction of social and economic vulnerabilities in the context of food and nutrition security and the changing climatic environment.⁶⁷⁷ Member states are required to enact national policies relating to sustainable agriculture in line with the SADC Treaty and other relevant regional instruments, as discussed in chapter 2 above. In sub-Saharan Africa, a high rate of inequality exists in relation to natural and agricultural resources.⁶⁷⁸ Such inequality can be resolved only by the implementation of policies that aim to accelerate growth in an

⁶⁷² WRD (2008) 30–34.

⁶⁷³ A policy document adopted by Africa States at the AU Summit of June 2014.

⁶⁷⁴ Agenda 2063 para 67(d).

⁶⁷⁵ Turner, Cilliers and Hughes 2014 *African Futures Paper*, 11; see also Agenda 2063 para 13.

⁶⁷⁶ Preamble of SADC RAP of 2014.

⁶⁷⁷ SADC RAP para 7.

⁶⁷⁸ Bicaba, Brixiová and Ncube 2016 *Working Paper Series 2*.

inclusive and sustainable manner, specifically within the agricultural sector.⁶⁷⁹ A key objective of the RAP is to enhance sustainable agricultural production, productivity and competitiveness.⁶⁸⁰

5.2.3 Subsistence farming as South Africa's food insecurity reduction strategy

As indicated in chapter 3 above, the South African government has over the years enacted legislative frameworks aimed at giving effect to the right to have access to sufficient food. These legislative frameworks aim to ensure the immediate realisation of the right to food and food security. The government has therefore adopted policies aimed at sustainable agricultural growth. The most prominent policies that give effect to agriculture as a long-term food security intervention in South Africa are discussed below.

5.2.3.1 Comprehensive Agriculture Support Programme, 2004 and Ilima/Letsema programme

The Comprehensive Agriculture Support Programme ("CASP") was implemented in 2004, with the aim of addressing the challenges in the agricultural sector of South Africa.⁶⁸¹ This programme intends to address, among other things, the need to support household and subsistence food producers through providing agriculture starter packs.⁶⁸² Hence, the main objective of the CASP is to provide for agricultural support to targeted beneficiaries of the land reform and agrarian reform programme.⁶⁸³ The importance of this objective derives from the fact that although subsistence farming plays a marginal role in reducing overall food insecurity, it is vital in supplementing a household's food supply. Hence, one of the objectives of the MTSF 2009–2014 was to ensure that rural households should be able to satisfy 60% of their food requirements from their own production. The 2008 review of agricultural policies indicates that rural

⁶⁷⁹ Bicaba, Brixiová and Ncube 2016 *Working Paper Series 2*; see also Ben-Amar and Zghidi 2015 *Theoretical and Applied Economics* 120.

⁶⁸⁰ Chapter 3A of SADC RAP.

⁶⁸¹ CASP paras 1.1–1.8.

⁶⁸² CASP para 2.3.

⁶⁸³ CASP para 2.1.

households with access to land had at some stage relied on farming for income, in response to a livelihood shock.⁶⁸⁴ The WDR of 2000/2001 indicates that small-scale farming predominates in developing countries.⁶⁸⁵ This means that governments should ensure that natural resources, such as water and land, which are crucial to ensuring that small-scale farming is productive, are made available. The National Policy on Food and Nutrition Security for the Republic of South Africa, 2013 ("Food Security Policy") therefore provides that South Africa needs to utilise productive land for food production, but the challenges include a lack of finance, equipment and water, among others.⁶⁸⁶

Interventions should be made to ensure that the agricultural sector, including household and subsistence producers, have access to the natural resources to make their farming profitable. This is consistent with the Food Security Policy's goal, which is to ensure the availability, accessibility and affordability of safe and nutritious food at national and household levels.⁶⁸⁷ The Food Security Policy therefore gives effect to section 27(1)(b) of the *Constitution* and enables the state to fulfil its obligation in terms of section 27(2) of the *Constitution*. The objective of CASP is realised through the Food Security Policy's strategic mandate and approach, which require investments in agriculture towards local economic development especially in rural areas, through the provision of subsidisation of inputs and support services for increased food production and improved market participation for emerging small-scale farmers.⁶⁸⁸ The delay in the implementation of the objectives of the Food Security Policy presents a failure on the government in discharging their national, regional and international commitments.⁶⁸⁹

⁶⁸⁴ Tregurtha and Vink Presidency Fifteen-Year Review Project Review of Agricultural Policies and Support Instruments 1994-2007.

⁶⁸⁵ WDR (2000/2001) 54.

⁶⁸⁶ Food Security Policy paras 1.3 and 8.1.

⁶⁸⁷ Food Security Policy para 3.

⁶⁸⁸ See paras 3 and 4 of the Food Security Policy (Strategic Mandate and Approach); see also para 2.2 of CASP.

⁶⁸⁹ See Chapters 2 and 3 of this thesis.

To illustrate the effectiveness of the CASP, I draw attention to the Ilima/Letsema programme.⁶⁹⁰ The Letsema programme promotes food security to ensure that households escape poverty. The aim of the Letsema programme is to assist small-scale farmers and household producers to increase their food production and to make productive use of available land, especially fallow land.⁶⁹¹ Agricultural starter packs, consisting of vegetable seedlings, fruit seedlings, fruit trees and livestock, among others, have been distributed to identified beneficiaries since the inception of this programme.⁶⁹² According to the 2014/2015 CASP and Ilima/Letsema Annual Report, R1,860,608 was allocated for CASP projects and R460,625 was allocated for the Ilima/Letsema project as at 31 March 2015.⁶⁹³ In 2008/2009 R534,918 million was allocated to CASP and R96 million to Ilima/Letsema.⁶⁹⁴ A comparison between the 2008/2009 Annual Report⁶⁹⁵ and the 2014/2015 Annual Report indicates that the government has invested greatly in the agriculture sector, especially subsistence farming. This indicates the importance of agricultural programmes (including the CASP and Ilima/Letsema programmes) in reducing hunger and meeting the first MDG and subsequent goals 1 and 2 of the SDGs.

The impact of such programmes in the long term is debatable. Hendriks⁶⁹⁶ argues that most agricultural programmes on household food security appear unsustainable because they offer once-off assistance and lack comprehensive capacity building to equip farmers with the requisite skills to operate in commercial markets. Sikwela and Masunje,⁶⁹⁷ observe that poor implementation has resulted in the CASP programme failing to reach the majority of the intended beneficiaries and, where it does reach beneficiaries, it is available as a single

⁶⁹⁰ The programme was launched in March 2009 under the auspices of the then Minister of Agriculture and Land Affairs Ms Lulu Xingwane.

⁶⁹¹ 2008/2009 Annual Report: Department of Agriculture 2–3.

⁶⁹² Department of Agriculture "Ilima/Letsema Ensuring Food Security" *AgriNews* (January 2009) 1–7; see also 2008/2009 Annual Report: Department of Agriculture 36–39 and 2014/2015 CASP and Ilima/Letsema Annual Report 13–54.

⁶⁹³ See 2014/2015 CASP and Ilima/Letsema Annual Report 6.

⁶⁹⁴ 2008/2009 Annual Report: Department of Agriculture 27.

⁶⁹⁵ It should be noted that the 2008/2009 Annual Report comprised a 5-year review plan of the agricultural sector.

⁶⁹⁶ Hendriks 2014 *Agrekon* 7.

⁶⁹⁷ Sikwela and Mushunje 2013 *African Journal of Agricultural Research* 2505.

service. This defeats the purpose of such programmes and plunges small-scale producers further into chronic food insecurity.⁶⁹⁸ Mngqawa, Mangena-Netshikweta and Katerere⁶⁹⁹ state that if programmes such as CASP can be implemented properly a lot can be achieved in increasing household food production among subsistence farmers, especially by equipping them with the skills to manage their harvest from the field to storage.

5.2.3.2 National Development Plan 2030 and the Agricultural Policy Action Plan 2015–2019

According to the Integrated Growth and Development Plan of 2012, ("IGDP") the agricultural sector in South Africa plays a vital role in promoting national food safety and security within the context of sustainable agriculture.⁷⁰⁰ South Africa has a vast number of small-scale farmers and subsistence farmers, specifically in the former homelands.⁷⁰¹ The government's focus is on enacting policies and programmes that aim to provide support, both legislative and technical, to small-scale and subsistence farmers.⁷⁰² This approach is further elaborated upon in the 2015/16 to 2019/20 DAFF Strategic Plan, which provides that the strategic goal of the DAFF is to provide an enabling environment for food security and sustainable agrarian transformation.⁷⁰³ This enabling environment requires the establishment of self-sustaining local food systems that are consistent with the elements of the right to food, as envisaged in international law. Hence, the objectives of the National Development Plan, 2030 ("NDP 2030") include:⁷⁰⁴

- "The need to realise a food trade surplus, with one-third being produced by small-scale farmers or households;
- Ensuring household food and nutrition security".

⁶⁹⁸ Sikwela and Mushunje 2013 *African Journal of Agricultural Research* 2508–2510.

⁶⁹⁹ Mngqawa, Mangena-Netshikweta and Katerere 2016 *PULA: Botswana Journal of African Studies* 60.

⁷⁰⁰ Para 2.1.1 of the IGDP (2012).

⁷⁰¹ Para 2.1.1 of the IGDP (2012).

⁷⁰² See para 2.3.3 of the IGDP for a list of policies aimed at supporting the agricultural sector in South Africa.

⁷⁰³ See Part A para 4.3.1 and para 1 (Vision) of the DAFF Strategic Plan (2015/16 to 2019/20).

⁷⁰⁴ NDP (2030) 34.

Chapter 6 of the NDP 2030 outlines an integrated strategy that aims to revamp the rural economy through agriculture, more specifically irrigated agriculture and dry-land production.⁷⁰⁵ In achieving this goal, the focus will be on subsistence and small-scale farmers. It is recommended that support is provided in the form of linking farmers to markets to enable them to sell their produce, training extension officers to respond to the needs of small-scale farmers, and ensuring that extension services are available to such farmers.⁷⁰⁶ To this end, the Agricultural Policy Action Plan 2015–2019 ("APAP") introduces key interventions that aim to provide support for subsistence and small-scale farmers.⁷⁰⁷ These interventions include:⁷⁰⁸ "(a) food production increase through land capability, mechanisation support services and production inputs and infrastructure; (b) provision of research and innovation through investments in human capital, basic research and indigenous knowledge systems; and (c) environment sustainability measures, such as the adoption of climate-resilient farming strategies". Therefore, subsistence agriculture as a long-term food security intervention is clearly influenced by various factors that require both the enactment of policies and the commitment to implementing those policies.

5.2.3.3 Fetsa Tlala programme, 2013 and the Medium-Term Strategic Framework 2014–2019

The Fetsa Tlala programme is aimed at ensuring food security nationally and at household level. The main objective of the Fetsa Tlala programme is to ensure food availability in line with the NDP goal of ending hunger by 2030.⁷⁰⁹ The third pillar of the Fetsa Tlala programme is to provide production inputs and infrastructure for subsistence and small-scale farmers, which include seeds,

⁷⁰⁵ NDP (2030) 218.

⁷⁰⁶ NDP (2030) 225–226.

⁷⁰⁷ APAP chapter 7.

⁷⁰⁸ APAP paras 7.1–7.3.

⁷⁰⁹ Fetsa Tlala para 3.1; see also NDP (2030) 34.

fertiliser, pesticides, herbicides, seedlings for crop production, irrigation, storage and fencing infrastructure.⁷¹⁰

Lack of appropriate infrastructure may be a barrier to the adoption of new technologies by small-scale farmers.⁷¹¹ The support rendered by the Fetsa Tlala programme is important because the subsistence agricultural sector is generally characterised by resource constraints that affect production.⁷¹² The fourth pillar of this programme is to create an avenue for market access to enable small-scale farmers to participate in the agricultural market. This pillar is vital because there are many barriers (such as lack of skills to compete with commercial farmers) that prevent small farmers from entering the commercial formal food system.⁷¹³

To tackle the challenges that limit the efficacy of subsistence and small-scale farming, the government has adopted the second MTSF 2014–2019. A priority of this framework is to promote rural development, land and agrarian reform, and food security.⁷¹⁴ The government aims to strengthen food security and agricultural competitiveness in rural households in order to lift such households out of poverty.⁷¹⁵ The support envisaged includes smallholder farmer development and support (technical, financial and infrastructure) for agrarian transformation.⁷¹⁶ This form of support is vital because agrarian transformation is a strategic vehicle for social and sustainable development.⁷¹⁷ Agrarian transformation provides secure and equitable access to land and other natural resources, as well as the essential support services to enable the poor and vulnerable to achieve sustainable livelihoods.⁷¹⁸ Therefore, agricultural programmes are aimed at realising the right to have access to sufficient food as

⁷¹⁰ Fetsa Tlala para 3.4.3.

⁷¹¹ Dethier and Effenberger 2012 *Economic Systems* 12–13.

⁷¹² Mngqawa, Mangena-Netshikweta and Katerere 2016 *PULA: Botswana Journal of African Studies* 54.

⁷¹³ Pereira 2014 *SA Food Lab* 26–30.

⁷¹⁴ MTSF 2014–2019 para 2.

⁷¹⁵ MTSF 2014–2019 para 6.7.

⁷¹⁶ MTSF 2014–2019 para 6.7.

⁷¹⁷ Report of ICARRD Issue Paper 4 "Agrarian Reform, Social Justice and Sustainable Development" (7–10 March 2006)

⁷¹⁸ Report of ICARRD para 22 "Statements on Progress in Agrarian Reform and Rural Development by Heads of Delegations" (7–10 March 2006).

entrenched in section 27(1)(b) of the *Constitution* and also obligate the government to provide livelihood amenities to the poor.

5.3 The viability of subsistence farming: Case studies 2010–2016

Agriculture, specifically subsistence farming, plays a vital role in promoting food security and economic growth in rural economies. The numerous international, regional and national legal frameworks that support sustainable agriculture as a meaningful solution to food insecurity and hunger eradication indicate the role of agriculture in promoting food security. However, it is important that the viability of subsistence farming be proved, in order to ensure that national policies on sustainable agriculture are properly implemented. Therefore, it is important to determine the number of households that are estimated to be involved in subsistence agriculture in South Africa.

According to the 2011 census, South Africa had a population of about 51,770,560⁷¹⁹ compared to 55,908,900 in 2016.⁷²⁰ The 2016 Community Survey: Agricultural Households Report⁷²¹ ("2016 Agriculture Survey") estimated that the number of households involved in agriculture nationally was 2.3 million, compared to 2.9 million in 2011. Most rural households rely on subsistence agriculture either as a main means of main income or as extra income to supplement other sources of income,⁷²² so this decrease in households involved in agriculture means that food insecurity is on the rise, especially in the rural provinces. The government therefore needs to adopt robust interventions to ensure that the goals of the NDP, namely to reduce poverty and hunger, are achieved.⁷²³ In the discussion that follows, the existing case studies and literature to determine the efficacy of subsistence farming in achieving food

⁷¹⁹ Census (2011) 14.

⁷²⁰ 2016 Mid-year population estimates <http://www.statssa.gov.za>.

⁷²¹ 2016 Agriculture Survey 2 <http://www.statssa.gov.za>.

⁷²² See para 4.4 of this thesis.

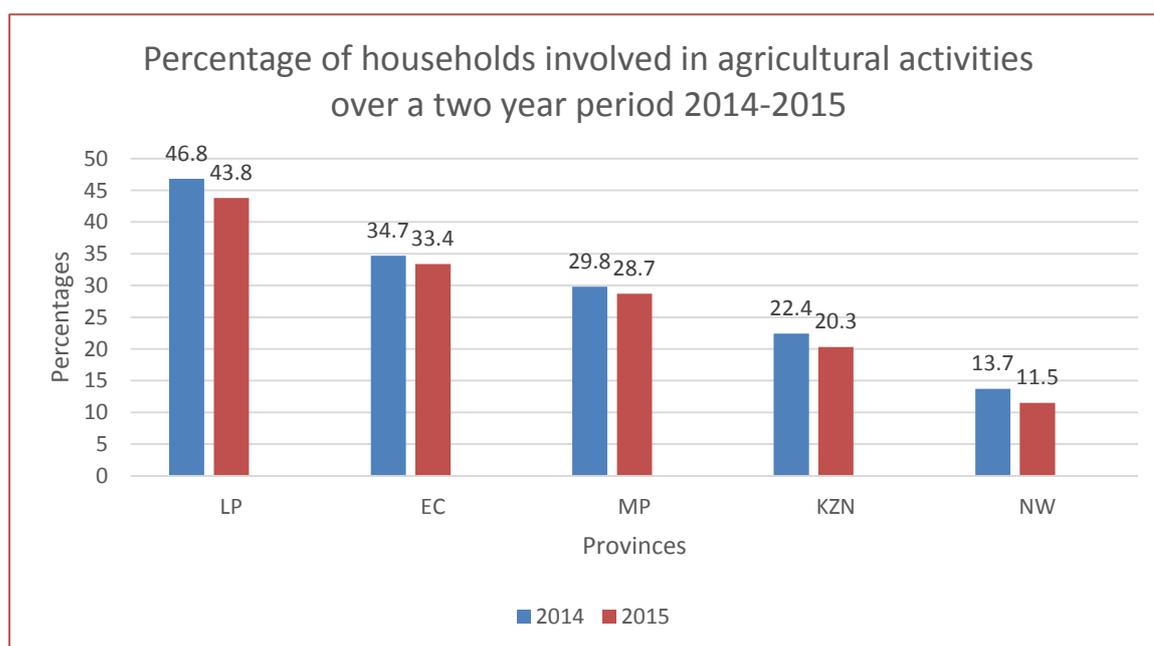
⁷²³ NDP (2030) 24.

security in rural households will be examined. The case studies⁷²⁴ will focus mainly on rural households in the provinces of the North West, the Eastern Cape, Limpopo, Mpumalanga and KwaZulu-Natal. These provinces were selected because a large sector of the population in each province is involved in agricultural activities.

5.3.1 Case studies 2010 and 2011 on subsistence farming

According to the General Household Surveys of 2014 and 2015, 18.3% and 16.9% of South African households were involved in agricultural production.⁷²⁵ The estimated number of households involved in agricultural activities in five rural provinces is shown below.

TABLE 9-1: Agricultural activities in five rural provinces of South Africa



Source: Data extracted from the General Household Surveys 2014–2015.

⁷²⁴ The cases studies referred to in paras 5.3.1-5.3.4 consists of case studies conducted on the efficacy of subsistence farming as a food security strategy. These case studies are supplemented by recent statistics from the General Household surveys (GHS) 2014 to 2018.

⁷²⁵ GHS (2014) 60 and GHS (2015) 67.

Table 9-1 shows a slight decrease in households that were involved in agricultural activities from 2014 to 2015. This indicates the importance of agricultural activities in ensuring food availability in many rural households; however, it also indicates that there could be reasons some households no longer engage in agricultural activities. Agriculture is clearly a vital food security intervention in realising the right to have access to sufficient food. Several authors have over the years conducted surveys to determine the effectiveness of agriculture, specifically subsistence farming, in ensuring food security.⁷²⁶

A 2010 study by Oni, Maliwichi and Obadire⁷²⁷ investigated the socio-economic factors that affect the state of food security of smallholder farmers in the Thulamela local municipality of the Vhembe district. The study revealed that at least 66% of the respondent households were food insecure.⁷²⁸ These households were selected from the 41 projects that formed part of the survey.⁷²⁹ The study further revealed that about 63% of the adults in the selected households were farming on family farms.⁷³⁰ Even though these farms are run as family businesses, the members did not receive wages other than being provided with food, education and the payment of expenses.⁷³¹ In addition, 73.2% of the respondent households produced less than 50% of their own food and only 17% managed to obtain 50% of their food from farming.⁷³² This means that such households had to purchase more food using the income derived from their farming activities, making such households vulnerable to food insecurity,⁷³³ despite the fact that households invest time and effort in farming activities.

⁷²⁶ Oni, Maliwichi and Obadire 2010 *African Journal of Agricultural Research* 2291-2295; Molebatsi *et al* 2010 *African Journal of Agricultural Research* 2952–2963 and Hart and Aliber 2012 *HSRC Policy Brief* 1-8.

⁷²⁷ Oni, Maliwichi and Obadire 2010 *African Journal of Agricultural Research* 2290.

⁷²⁸ Oni, Maliwichi and Obadire 2010 *African Journal of Agricultural Research* 2292.

⁷²⁹ Oni, Maliwichi and Obadire 2010 *African Journal of Agricultural Research* 2290.

⁷³⁰ Oni, Maliwichi and Obadire 2010 *African Journal of Agricultural Research* 2291.

⁷³¹ Oni, Maliwichi and Obadire 2010 *African Journal of Agricultural Research* 2291.

⁷³² Oni, Maliwichi and Obadire 2010 *African Journal of Agricultural Research* 2292.

⁷³³ The study indicated that 68% of the households derived less than R10000 from their farm produce (Oni, Maliwichi and Obadire 2010 *African Journal of Agricultural Research* 2291–2295).

Oni, Maliwichi and Obadire indicated that 90% of the respondents had no other economic activity besides farming.⁷³⁴ The authors identified factors such as lack of access to credit to get started, and lack of markets and infrastructure as challenges that hindered the efficacy of smallholder farming. This viewpoint is supported by Hart and Aliber,⁷³⁵ who identified weak extension services and limited access to government support as some of the factors that negatively impact production levels in farms run by black female subsistence farmers. A detailed discussion of the factors that negatively impact the efficacy of subsistence farming will follow later.⁷³⁶

Molebatsi *et al*⁷³⁷ conducted a survey to determine the usefulness of plants in home gardens. The study looked at three types of settlements, namely deep rural, rural and peri-urban settlements.⁷³⁸ However, data that dealt with home gardens in the deep rural settlement of Tlhakgameng will be considered. The reason being Tlhakgameng is a rural area and the study focuses on the impact of subsistence agriculture as a food intervention strategy that promotes food security in rural households. The authors define a deep rural setting "as an inhabited area where a tribal authority manages the community and 90% of the inhabitants are subsistence farmers".⁷³⁹ Fifty-one gardens were selected in Tlhakgameng for the purposes of the study. The findings indicated that at least 21% of the plants in the home gardens of Tlhakgameng were food plants, ranging from vegetables to fruit trees.⁷⁴⁰ Seventy-three percent of the useful plants cultivated included grains such as maize and sorghum.⁷⁴¹ This survey indicated the importance of the role of staple foods in realising the right to have access to sufficient food. According to the 2010 GHS, 43.2% of households in

⁷³⁴ Oni, Maliwichi and Obadire 2010 *African Journal of Agricultural Research* 2291.

⁷³⁵ Hart and Aliber 2012 *HSRC Policy Brief* 4.

⁷³⁶ See paras 5.4.1–5.4.3 of this thesis.

⁷³⁷ Molebatsi et al 2010 *African Journal of Agricultural Research* 2953.

⁷³⁸ Molebatsi et al 2010 *African Journal of Agricultural Research* 2953–2955.

⁷³⁹ Molebatsi et al 2010 *African Journal of Agricultural Research* 2953.

⁷⁴⁰ Molebatsi et al 2010 *African Journal of Agricultural Research* 2954.

⁷⁴¹ Molebatsi et al 2010 *African Journal of Agricultural Research* 2955.

South Africa planted grains and food crops, with the rural provinces planting the largest percentage.⁷⁴²

Moreover, backyard gardening is more prevalent in many households, with at least 86% of all farming activities taking place in backyard gardens in 2010.⁷⁴³ According to Hazell,⁷⁴⁴ backyard gardens play a vital role in subsistence farming, with at least 62.5% of KZN households cultivating in gardens by 1996. Nemudzudzanyi *et al*⁷⁴⁵ found that cultivated crops constituted 25% of the plants in a home garden. Further, food plants such as fruit trees, vegetables and legumes were the most planted.⁷⁴⁶ Maize was found in 58% of the home gardens, together with a variety of the food plants mentioned above.⁷⁴⁷ Galhena, Freed and Maredia⁷⁴⁸ noted that, given imminent hunger and malnutrition, especially in developing countries, home gardens provide a great strategy for addressing food production and food security issues. Home gardens are integral in achieving food sovereignty. Therefore, it is important that governments enact policies that promote family farming.⁷⁴⁹

In South Africa, home gardening initiatives are included in the IFSS as part of a food security intervention in terms of section 27(1)(b) of the *Constitution*. The need for households to be food secure pushes for the intensification of agriculture as a solution to food insecurity and malnutrition.⁷⁵⁰ Home gardening provides a good strategy for ensuring access to nutritious food. A study of home garden projects indicated that such gardens promote the consumption of vitamin A-enriched vegetables and fruits.⁷⁵¹ The survey revealed that in the households that participated in the project the consumption of yellow/orange-fleshed and

⁷⁴² GHS (2010) 39.

⁷⁴³ GHS (2010) 39.

⁷⁴⁴ Hazell 2010 *SDS Research Report* 30.

⁷⁴⁵ Nemudzudzanyi et al 2010 *Indilinga – African Journal of Indigenous Knowledge Systems* 62.

⁷⁴⁶ Nemudzudzanyi et al 2010 *Indilinga – African Journal of Indigenous Knowledge Systems* 61–63.

⁷⁴⁷ Nemudzudzanyi et al 2010 *Indilinga – African Journal of Indigenous Knowledge Systems* 61–62.

⁷⁴⁸ Galhena, Freed and Maredia 2013 *Agriculture and Food Security* 1–6.

⁷⁴⁹ Ndao and Thioune "Agricultural Policy Instrument for a Better Regional Integration in West Africa" 130–139.

⁷⁵⁰ Faber, Witten and Drimie 2011 *South African Journal of Clinical Nutrition* 21.

⁷⁵¹ Faber, Witten and Drimie 2011 *South African Journal of Clinical Nutrition* 24.

dark green leafy vegetables increased with 85% of the vitamin A intake being from provitamin A-rich fruit and vegetables.⁷⁵² The right to have access to sufficient food involves more than enabling households to obtain food; they need to access nutritious foods. Food fortification programmes must be adopted in order to improve the nutritional quality of the food that is made available to households.⁷⁵³ Community gardens provide an avenue for improving a household's access to certain types of foods.⁷⁵⁴ Subsistence farming thus plays a vital role in ensuring not only food availability but also access to dietarily adequate foods.⁷⁵⁵

Hart⁷⁵⁶ noted that African vegetables that grow in or are cultivated in home gardens are both a source of food and a good nutritional diet for poor rural households. In examining data collected from 108 households in a village in Limpopo, Hart observed that 90% of the households cultivated crops in homestead plots and 59% produced livestock, mainly poultry.⁷⁵⁷ Maize, vegetables and selected fruits were the main crops cultivated,⁷⁵⁸ because maize and vegetables were generally the staple food for households.⁷⁵⁹ According to the survey, most of the households (83%) cultivated crops to consume (as an extra source of food) rather than for extra income (2%).⁷⁶⁰ However, despite this cultivation of crops, the households remained relatively food insecure: only 5% of the selected households relied on agriculture as a primary source of food.⁷⁶¹ The survey indicated that agricultural activities are mostly supplemented by social grants, with 24% of the households having someone receiving old age grants and 59% relying on child grants or disability grants.⁷⁶² The farming

⁷⁵² Faber, Witten and Drimie 2011 *South African Journal of Clinical Nutrition* 25.

⁷⁵³ Charlton and Rose 2002 *Public Health Nutrition* 383–389.

⁷⁵⁴ Charlton and Rose 2002 *Public Health Nutrition* 383.

⁷⁵⁵ See para 4.4.1 of this thesis.

⁷⁵⁶ Hart 2011 *Agriculture and Human Values* 322–323.

⁷⁵⁷ Hart 2011 *Agriculture and Human Values* 323–325.

⁷⁵⁸ Hart 2011 *Agriculture and Human Values* 325–326.

⁷⁵⁹ Hart 2011 *Agriculture and Human Values* 328–330.

⁷⁶⁰ Hart 2011 *Agriculture and Human Values* 325.

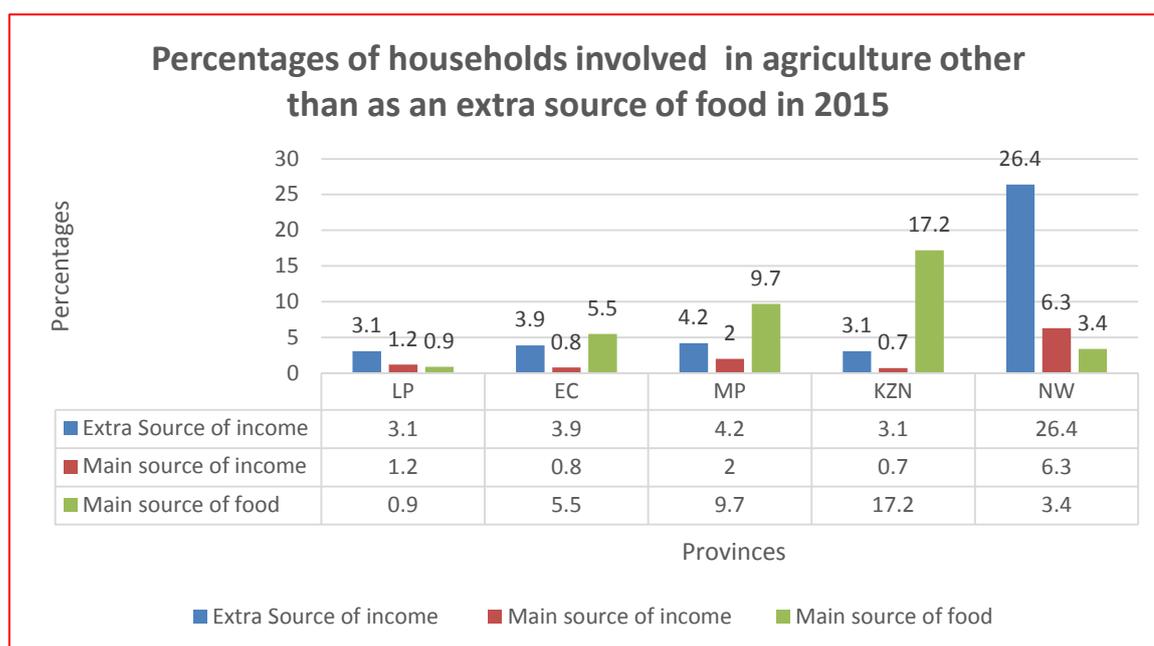
⁷⁶¹ Hart 2011 *Agriculture and Human Values* 326.

⁷⁶² Hart 2011 *Agriculture and Human Values* 326.

activities of rural households therefore do not serve as a tangible source of extra income or main income.

The Income and Expenditure Survey of 2010/2011 ("IES 2010/2011")⁷⁶³ shows that remittances from salaries (72.7%) and social grants, social insurance and family allowances (4.9%) are the main sources of income. Own production could not be specified, but an analysis of the IES 2010/2011 reveals that traditional areas spent 26.6% of their income on food and related products, which means that traditional areas spend more on purchasing food than on producing their own. Furthermore, the 2015 GHS reveals that the use of agricultural produce as an extra source of income and a main source of income and a main source of food is minimal⁷⁶⁴.

TABLE 10-1: Households involved in agricultural activities as sources of income and food in five rural provinces of South Africa



Source: Data extracted from 2015 General Household Survey.

⁷⁶³ IES (2010/2011) 13.

⁷⁶⁴ GHS (2015) 68.

5.3.2 Case studies 2012 and 2013 on subsistence farming

Despite the growing number of households engaging in subsistence agriculture, food insecurity is still rising.⁷⁶⁵ This is cause for concern given the government's obligation to ensure access to sufficient food in terms of section 27(2) of the *Constitution*. Moreover, this indicates that the government's goal of reducing household food insecurity to 9.5% by 2019 might not be achievable.⁷⁶⁶ This is further emphasised by various studies.

Ndhleve, Musemwa and Zhou⁷⁶⁷ conducted a study in Hamburg in the Eastern Cape, consisting of data collected from 159 households. The objective was to determine the food security status of households, the causes of food insecurity, and strategies to defer food insecurity.⁷⁶⁸ The study revealed that households involved in farming as a main source of income comprised 13% of those considered severely food insecure and 19% of those regarded as moderately food secure.⁷⁶⁹ This indicates that agriculture, despite being promoted as a viable coping strategy for poor households, is ineffective in the rural areas of South Africa.⁷⁷⁰

In a study conducted in the Vhembe district in the Limpopo Province, Maliwichi, Oni and Obadire⁷⁷¹ indicate that, of the 143 households comprising irrigating farmers and 47 dry-land farmers, maize and vegetables brought in the most income for households. The study further indicates that the irrigating farmers derived 64% of their income from maize and 35% from vegetables, while the

⁷⁶⁵ GHS (2016) 61-62 and GHS (2017) 58-59.

⁷⁶⁶ MTSF 2014–2019 para 6.7.

⁷⁶⁷ Ndhleve, Musemwa and Zhou 2012 *Journal of Agricultural Biotechnology and Sustainable Development* 69–70.

⁷⁶⁸ Ndhleve, Musemwa and Zhou 2012 *Journal of Agricultural Biotechnology and Sustainable Development* 69–70.

⁷⁶⁹ Ndhleve, Musemwa and Zhou 2012 *Journal of Agricultural Biotechnology and Sustainable Development* 72.

⁷⁷⁰ See paras 5.2.1 and 5.2.2 of this thesis.

⁷⁷¹ Maliwichi, Oni and Obadire 2012 *African Journal of Agricultural Research* 3656.

dry-land famers derived 50% and 46% respectively.⁷⁷² The rest of the crops are consumed and the remaining supplement the households' food sources.⁷⁷³

The difference between the studies in the Hamburg and Vhembe districts is that the Hamburg households used agriculture as a main source of income, while agriculture was used as both a source of additional food and extra income in Vhembe.⁷⁷⁴

The importance of using agriculture as both a source of food and extra income is illustrated in a survey on livelihood strategies adopted by farmers forming part of irrigation schemes.⁷⁷⁵ Tshuma and Monde⁷⁷⁶ used data collected between 2005 and 2007, and determined that the households relied on both farming and non-farming activities as livelihood strategies. However, the study revealed that, in the Zanyokwe Irrigation Scheme, farming activities made a better contribution to household income than non-farming activities.⁷⁷⁷ Crops such as cabbages and butternuts brought in more income. Maize was less effective due to it being a staple food, so most households cultivated it themselves for consumption purposes.⁷⁷⁸ However, the most vital aspect of this study is the fact that most households were producing their own food.⁷⁷⁹ This meant that more households became food secure and were able to consume nutritious foods.⁷⁸⁰ The above studies support a finding by IFAD⁷⁸¹ that indicates that smallholder agriculture provides communities and households with a variety of nutritious foods that can be increased through the introduction of new crops, the promotion of under-exploited traditional food crops, and home gardens. Subsistence agriculture

⁷⁷² Maliwichi, Oni and Obadire 2012 *African Journal of Agricultural Research* 3657.

⁷⁷³ Maliwichi, Oni and Obadire 2012 *African Journal of Agricultural Research* 3657–3661.

⁷⁷⁴ Maliwichi, Oni and Obadire 2012 *African Journal of Agricultural Research* 3657–3662.

⁷⁷⁵ Tshuma and Monde 2012 *Water SA* 784.

⁷⁷⁶ Tshuma and Monde 2012 *Water SA* 786.

⁷⁷⁷ Tshuma and Monde 2012 *Water SA* 786.

⁷⁷⁸ Tshuma and Monde 2012 *Water SA* 787–789.

⁷⁷⁹ Tshuma and Monde 2012 *Water SA* 789.

⁷⁸⁰ Tshuma and Monde 2012 *Water SA* 791.

⁷⁸¹ Thomson *et al* 2013 *IFAD Publication* 11.

provides a biodiversity of foods that is integral to ensuring the adequate intake of essential nutrients.⁷⁸²

Despite the positive aspects of subsistence farming, some studies indicate that a household's involvement in own food production is not sufficient to guarantee its food security. Cock *et al*⁷⁸³ conducted a study of 600 households in five municipal districts in the Limpopo province, in order to determine households' access to food, food availability, quality and safety. At least 53.1% of the households were found to be severely food insecure,⁷⁸⁴ despite subsistence farming being prevalent, especially crop production. The selected households cultivated mostly maize, fruits and vegetables.⁷⁸⁵ Furthermore, income from farming activities was a meagre 15%, because most households consumed half of their produce and sold the other half.⁷⁸⁶

On the other hand, in a survey of 14 cooperatives in the Limpopo province, Groenmeyer⁷⁸⁷ found that food produced by cooperatives is used as an additional food source for households, especially when seasonal crops are not harvested. She observed that subsistence farming is integral to household food security as it reduces dependence on market purchases for the rural poor.⁷⁸⁸ For example, agricultural cooperatives provide rural households with a platform to access food and also enable producers to market their products.⁷⁸⁹ Subsistence farmers who need to sell their produce for extra income stand a better chance if they sell through cooperatives, rather than as individuals. Moreover, it is clear that the efficiency of subsistence farming as a food security intervention is affected by

⁷⁸² Burchi, Fanzo and Frison 2011 *International Journal of Environmental Research and Public Health* 364–369.

⁷⁸³ De Cock *et al* 2013 *Food Security* 270–271.

⁷⁸⁴ De Cock *et al* 2013 *Food Security* 273.

⁷⁸⁵ De Cock *et al* 2013 *Food Security* 273.

⁷⁸⁶ De Cock *et al* 2013 *Food Security* 273–274.

⁷⁸⁷ Groenmeyer 2013 *International Journal of Social Science Studies* 170–175.

⁷⁸⁸ Groenmeyer 2013 *International Journal of Social Science Studies* 177–178.

⁷⁸⁹ Boyana and Tshuma 2013 *African Journal of Agricultural Research* 1344.

external factors, such as market access, location and the educational level of household members.⁷⁹⁰

5.3.3 Case studies 2014 and 2015 on subsistence farming

We can conclude from the above discussion that extra income is not at the centre of subsistence agriculture. However, more households are likely to use their subsistence produce to supplement their household income. A survey by Mahlangu *et al*⁷⁹¹ of 60 households in the Limpopo province indicated that indigenous leafy vegetables (ILVs) can provide an extra source of income for households. The study showed that ILVs, because of their nutritious advantages and cultural acceptance, are viable for commercialisation.⁷⁹² Hence, ILVs are mostly sold on the local market with at least a 73% share of the market, and in neighbouring villages, they comprise a 7% share of the total market.⁷⁹³ The authors noted that ILVs have the potential to reach a bigger market. However, constraints such as proper infrastructure, lack of knowledge about how to introduce a product to the market, lack of government support, and the lack of policies that support the development of ILVs and their marketing need to be addressed.⁷⁹⁴ Mahlangu *et al*'s argument on the commercialisation of ILVs is not far-fetched; in Zambia, such vegetables have reached formal markets.⁷⁹⁵ The growing demand for ILVs in peri-urban and urban areas provide a platform for commercialisation.⁷⁹⁶ At the same time, educational levels and the distance from markets play a vital role in promoting the sale of subsistence produce.⁷⁹⁷ Hlongwane, Ledwaba and Belete⁷⁹⁸ set out to determine what factors influence small-scale farmers when deciding whether or not to sell their produce, and they

⁷⁹⁰ De Cock *et al* 2013 *Food Security* 280.

⁷⁹¹ Mahlangu *et al* 2014 *Asian Journal of Agricultural Extension, Economics and Sociology* 582–583.

⁷⁹² Mahlangu *et al* 2014 *Asian Journal of Agricultural Extension, Economics and Sociology* 582.

⁷⁹³ Mahlangu *et al* 2014 *Asian Journal of Agricultural Extension, Economics and Sociology* 591.

⁷⁹⁴ Mahlangu *et al* 2014 *Asian Journal of Agricultural Extension, Economics and Sociology* 592; see also Thamaga-Chitja and Morojele 2014 *Journal of Human Ecology* 151.

⁷⁹⁵ Nguni and Mwila 2007 *African Journal of Food, Agriculture, Nutrition and Development* 13.

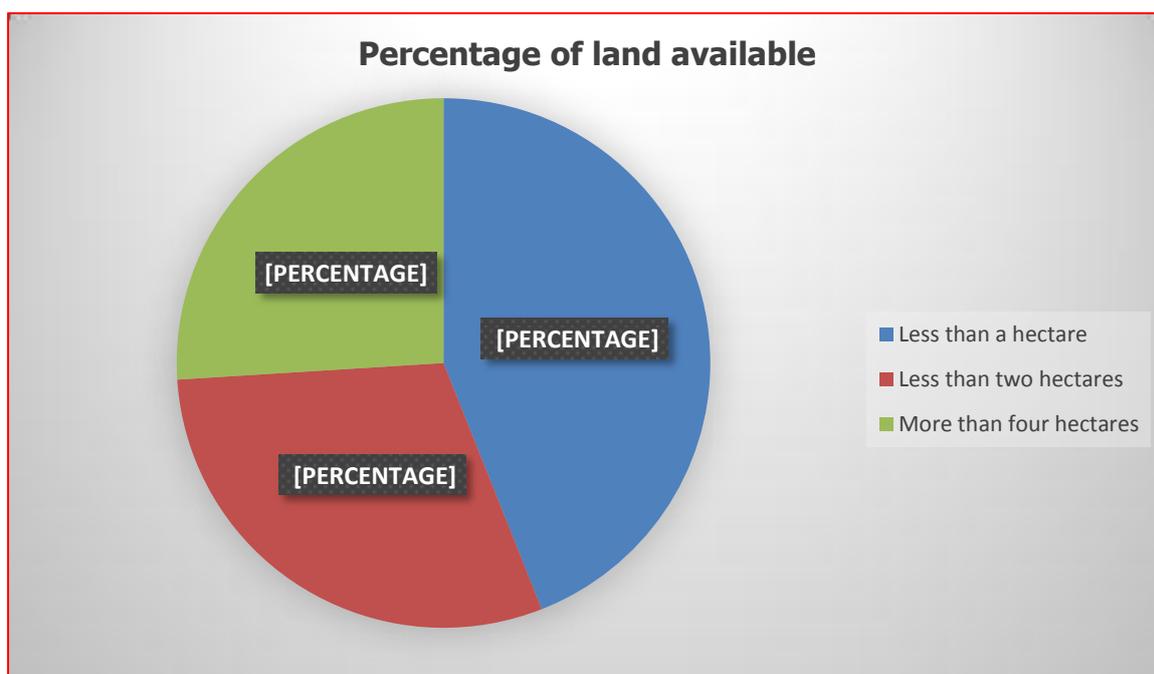
⁷⁹⁶ Nguni and Mwila 2007 *African Journal of Food, Agriculture, Nutrition and Development* 16–17.

⁷⁹⁷ Mukwevho and Anim 2014 *Journal of Human Ecology* 222–224.

⁷⁹⁸ Hlongwane, Ledwaba and Belete 2014 *African Journal of Agricultural Research* 896–897.

surveyed 92 subsistence farmers who cultivated maize.⁷⁹⁹ The survey revealed that 50.5% of the farmers sold their produce and 49.5% did not sell their produce.⁸⁰⁰ The reasons for non-participation could be the distance factor or the lack of arable land to cultivate produce.⁸⁰¹ Table 11-1 below illustrates the distribution of farming land in the study by Hlongwane, Ledwaba and Belete.

TABLE 11-1: Farm sizes in area of study



Source: Data extracted from Hlongwane, Ledwaba and Belete, 2014: 898.

This study supports the information in the 2014 and 2015 GHSes that 88.8% and 91.3% respectively of all farming activities took place in backyard gardens.⁸⁰² Market access for subsistence farmers is minimal because their produce is insufficient to cater for consumption and household income. In order for subsistence agriculture to be an efficient strategy against food insecurity and hunger, it has to be viewed holistically in light of both the internal and external factors that affect subsistence farmers. Support for subsistence farming should go beyond physical and natural resources to include the social and human

⁷⁹⁹ Hlongwane, Ledwaba and Belete 2014 *African Journal of Agricultural Research* 896–897.

⁸⁰⁰ Hlongwane, Ledwaba and Belete 2014 *African Journal of Agricultural Research* 897.

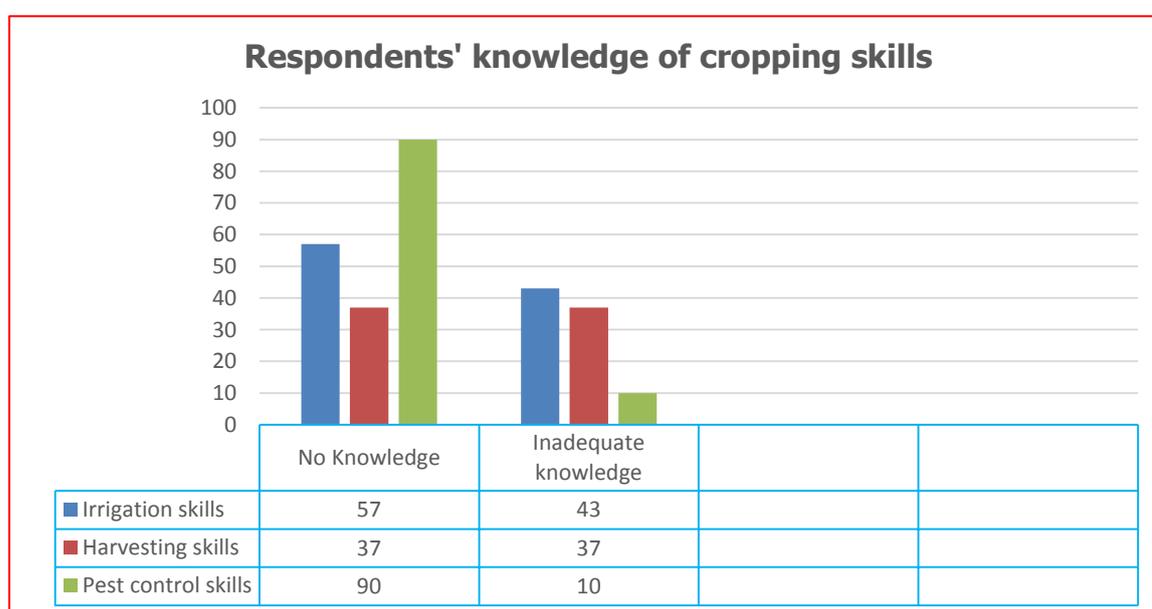
⁸⁰¹ Hlongwane, Ledwaba and Belete 2014 *African Journal of Agricultural Research* 898–899.

⁸⁰² See GHS (2014) 60; see also GHS (2015) 67.

capacity needed to develop the farmer's ability to make choices, observe quality standards and gain market knowledge.⁸⁰³

This discussion reveals that subsistence farmers face numerous obstacles in accessing formal markets to sell their produce. To determine the viability of subsistence agriculture as a food security strategy we should consider case studies that reveal whether or not subsistence farmers are equipped with the necessary skills to farm. A study by Khapayi and Celliers⁸⁰⁴ into the factors that affect subsistence farmers in the Eastern Cape revealed that most farmers lack the necessary farming skills. Fifty farmers who were involved in livestock rearing and crop production were selected.⁸⁰⁵ All 50 farmers were rearing livestock and 30 were also involved in crop production. The farmers that cultivated crops lacked basic farming skills such as irrigation, harvesting and pest control skills.⁸⁰⁶ A graphic representation of the respondents' knowledge of these skills is provided below.

TABLE 12-1: Crop production skills according to study area



Source: Data extracted from Khapayi and Celliers, 2015: 3864.

⁸⁰³ Thamaga-Chitja and Morojele 2014 *Journal of Human Ecology* 152–154.

⁸⁰⁴ Khapayi and Celliers 2015 *African Journal of Agricultural Research* 3862–3863.

⁸⁰⁵ Khapayi and Celliers 2015 *African Journal of Agricultural Research* 3862–3863.

⁸⁰⁶ Khapayi and Celliers 2015 *African Journal of Agricultural Research* 3864.

The skills in Table 12-1 are only a few of the skills that the farmers in the study area lacked or had limited knowledge of. The farmers indicated that they lacked skills in livestock rearing; at least 98% of the farmers stated that they had no knowledge of animal and farm hygiene.⁸⁰⁷ This meant that farmers could not recognise that the animals were sick, and other simple skills, like weaning, were minimal. This challenge defeats the objectives of programmes such as CASP and Ilima-Letsema that seek to ensure that subsistence farmers and producers increase their food production.⁸⁰⁸ It appears that these programmes have been unsuccessful in realising the right to have access to sufficient food because the measures that are envisaged are all encompassing and require the implementation of agricultural policies and programmes. These programmes cannot yield successful results if the beneficiaries lack basic farming skills.

Subsistence farmers must be equipped with the necessary knowledge about cropping and rearing systems. A study by Modi⁸⁰⁹ investigated the potential of vegetable production as a food source and income source. Modi observed that due to a lack of skills and the practising of a monoculture system of farming, vegetable production has failed to thrive.⁸¹⁰ However, the survey also revealed that in areas where farmers adopted new approaches to cultivating crops, the results were impressive. For example, in Umbumbulu, organic taro thrived due to the knowledge gained by farmers under the mentorship of the author.⁸¹¹ This shows that where traditional farming practices are improved upon using agroecological methods, vegetable production can be a good source of food security and household income.⁸¹² To efficiently realise the right to have access to sufficient food, the government must equip subsistence farmers with the appropriate farming skills and suitable agroecological practices. Failure to do so means that the existing food-specific policies are inefficient because the requirement in section 27(2) of the *Constitution* is not being fulfilled. This means

⁸⁰⁷ Khapayi and Celliers 2015 *African Journal of Agricultural Research* 3864–3865.

⁸⁰⁸ See para 5.2.3.1 of this thesis.

⁸⁰⁹ Modi 2015 *Food Research International* 947–948.

⁸¹⁰ Modi 2015 *Food Research International* 947.

⁸¹¹ Modi 2015 *Food Research International* 950.

⁸¹² Modi 2015 *Food Research International* 951.

that the government is failing to fulfil its obligations in respect of providing access to sufficient food in terms of section 27(1)(b) of the *Constitution*.

5.3.4 Case studies 2016 on subsistence farming

Despite the 2016 Agriculture Survey indicating a decrease in households that were involved in agricultural activities, rural provinces, namely KwaZulu-Natal, the Eastern Cape and Limpopo, had the highest number of households engaging in agriculture.⁸¹³ A study on livelihood diversification by Mathebula *et al*⁸¹⁴ revealed that even though subsistence farming is widespread in these rural provinces, it is not the main source of income, which is concerning considering the numerous policies on agriculture and agrarian reform that have been implemented over the years.⁸¹⁵ It seems that policies on agrarian reform are not being properly implemented.

A study by Mngqawa, Mangena-Netshikweta and Katerere⁸¹⁶ of subsistence farmers involved in grain production in Limpopo (Vhembe District Municipality) and Mpumalanga (Gert Sibanda District Municipality) revealed that households produce on average 0.4 to 1.8 tonnes of maize. The study indicates that poor yields compel farmers to purchase maize for home consumption,⁸¹⁷ and subsistence farmers do not derive any income from their produce. The authors point out that farmers in the two districts faced challenges such as a lack of arable land, climatic changes, lack of government support and lack of market access and poor storage practices.⁸¹⁸ The farmers in Vhembe therefore cultivated no more than 1 hectare of plots, which was the reason for poor yields.⁸¹⁹ In Mpumalanga, although government support was available, it was limited to

⁸¹³ 2016 Agriculture Survey 2-3; see also GHS (2018) 68-69.

⁸¹⁴ Mathebula *et al* 2017 *South African Journal of Science* 5–8.

⁸¹⁵ See paras 5.2.3.1–5.2.3.3 of this thesis.

⁸¹⁶ Mngqawa, Mangena-Netshikweta and Katerere 2016 *PULA: Botswana Journal of African Studies* 51–52.

⁸¹⁷ Mngqawa, Mangena-Netshikweta and Katerere 2016 *PULA: Botswana Journal of African Studies* 60.

⁸¹⁸ Mngqawa, Mangena-Netshikweta and Katerere 2016 *PULA: Botswana Journal of African Studies* 54–56.

⁸¹⁹ Mngqawa, Mangena-Netshikweta and Katerere 2016 *PULA: Botswana Journal of African Studies* 55.

tillage for a hectare, starter seed packs and fertilisers.⁸²⁰ Another reason for the low yields was the storage practices, because most households in the study areas used homemade storage that did not properly preserve the maize, which meant that the maize was spoilt and farmers could not use it for the next harvest.⁸²¹ This results in agriculture being insignificant as a main source of income.

In another study, Sinyolo, Mudhara and Wale⁸²² investigated whether reliance on social grants results in most rural households abandoning subsistence farming as a form of rural livelihood. This study revealed that although 84% of rural households in KwaZulu-Natal relied on social grants as a main source of income, 78% of the households used these grants for farming activities.⁸²³ Thirty percent (30%) of the social grant income is used for farming purposes and farming income contributes about 13% of the household's income.⁸²⁴ This indicates that subsistence farming still plays an important role in ensuring food security. Moreover, it is clear from the study that households view income from social grants as insufficient as a livelihood strategy, hence the need to supplement it with farming activities. Also evident from the study by Sinyolo, Mudhara and Wale⁸²⁵ is the fact that income from social grants is vital as it provides households with access to credit for farming activities. Access to credit, both formal and informal, is a challenge for subsistence farmers due to discriminatory lending tendencies that favour male farmers over female farmers.⁸²⁶ Moreover,

⁸²⁰ Mngqawa, Mangena-Netshikweta and Katerere 2016 *PULA: Botswana Journal of African Studies* 55.

⁸²¹ Mngqawa, Mangena-Netshikweta and Katerere 2016 *PULA: Botswana Journal of African Studies* 59–61.

⁸²² Sinyolo, Mudhara and Wale 2016 *African Journal of Agricultural and Resource Economics* 155–157.

⁸²³ Sinyolo, Mudhara and Wale 2016 *African Journal of Agricultural and Resource Economics* 157.

⁸²⁴ Sinyolo, Mudhara and Wale 2016 *African Journal of Agricultural and Resource Economics* 158–159.

⁸²⁵ Sinyolo, Mudhara and Wale 2016 *African Journal of Agricultural and Resource Economics* 160–162.

⁸²⁶ Tibesigwa and Visser 2016 *EfD: Discussion Paper Series* 9.

access to credit in agriculture is often determined by the educational level of the borrower and farm sizes, placing subsistence farmers at a disadvantage.⁸²⁷

From the above discussion, the low production in agriculture makes it difficult for subsistence farming to be a viable food security intervention. Until constraints that negatively affect subsistence farming are addressed, agriculture remains negligible in promoting food security. The right to have access to sufficient food cannot be realised if the existing policies and programmes on food security cannot be implemented. This will lead to subsistence agriculture as a food security intervention being an inefficient strategy, which will result in the fundamental right of access to food being violated.

5.4 Factors that negatively affect viability of subsistence farming as a food security intervention in South Africa

In the preceding paragraphs, some constraints that negatively affect subsistence farming were discussed, namely poor infrastructure, lack of farming skills, lack of market access and lack of arable farming land. However, constraints such as lack of market access, land availability and access to water require further elaboration. It is important to discuss such constraints as they inhibit the viability of subsistence agriculture as a food security intervention.

5.4.1 Lack of market access as a constraint in subsistence farming

Subsistence farmers can use their produce as a source of additional food. However, lack of knowledge and expertise in accessing formal markets prevent them from using their produce as a main source of income or extra source of income. The four constraints that subsistence farmers usually encounter are:⁸²⁸ "access to assets, access to information, access to services and access to remunerative markets". The first two constraints are discussed in detail, since literature indicates that the other constraints are ancillary to access to assets and information.

⁸²⁷ Tibesigwa and Visser 2016 *EfD: Discussion Paper Series* 9.

⁸²⁸ Delgado 1999 *Agrekon* 169–174.

5.4.1.1 Access to capital

Firstly, smallholder farmers need to be able to obtain the necessary credit that enables them to increase their production. These farmers may need subsidies, which in turn require the government to establish an infrastructure to monitor that the assets are properly used.⁸²⁹ A study by Fanadzo illustrates Delgado's argument clearly: "it reveals that a lack of funds in irrigation schemes leads to low cropping intensities and productivity".⁸³⁰ This, in turn, makes subsistence farming less profitable, due to the high start-up costs. Due to smallholder farmers' lack of adequate land to use as collateral, they find it difficult to secure loans from financial institutions.⁸³¹ Without any capital, the farmers cannot take advantage of favourable market conditions.⁸³²

5.4.1.2 Access to information

Secondly, smallholder farmers are unable to access new commercial information and technologies.⁸³³ Poor farmers may lack access to knowledge of new technologies and are therefore unlikely to adopt such technologies in their farming systems.⁸³⁴ In addition to technical information, smallholder farmers may lack information about products, such as information about what crops and variety to cultivate in particular seasons, leading to marketability issues.⁸³⁵ Access to information is vital for subsistence farmers in deciding their target market; for example, those who sell in the informal sector make less profit than those selling in the formal markets.⁸³⁶

Mukweho and Anim⁸³⁷ state that subsistence farmers who sell to retailers, institutions and fresh produce markets are usually fewer in number more educated

⁸²⁹ Delgado 1999 *Agrekon* 170.

⁸³⁰ Fanadzo 2012 *African Journal of Agricultural Research* 1962.

⁸³¹ Tshuma 2014 *African Journal of Agricultural Research* 2414

⁸³² Tshuma 2014 *African Journal of Agricultural Research* 2414–2415.

⁸³³ Delgado 1999 *Agrekon* 170–172.

⁸³⁴ Irz et al 2001 *Development Policy Review* 452.

⁸³⁵ Tshuma 2014 *African Journal of Agricultural Research* 2415.

⁸³⁶ Delgado 2008 *IFPRI Research Report* 100.

⁸³⁷ Mukweho and Anim 2014 *Journal of Human Ecology* 222–224; see also Senyolo *et al* 2009 *African Journal of Agricultural Research* 210–213.

and have better equipment than those who do not have access to markets. Finally, it is worth noting that subsistence farmers are mostly located in deep rural areas; therefore, good infrastructure and government support services in the form of proper roads and extension services go a long way in enabling them to access formal markets.

5.4.2 Lack of availability of land as a constraint in subsistence farming

The importance of availability of land especially for rural communities is entrenched in the RDP.⁸³⁸ Paragraph 2.4.3 of the RDP provides that the aim of the land reform programme is to supply residential and productive land to the rural poor and aspirant farmers, including encouraging the use of land for agricultural purposes. Similarly, the White Paper on South African Land Policy, 1997 ("White Paper on Land Policy") states that the objective of the land reform programme "is a flourishing rural landscape consisting of large, medium and small farms and enterprises, developed by full-time and part-time farmers".⁸³⁹ From the above provisions, it is clear that land is an integral part of agrarian reform. Lack of access to arable land has a negative effect on creating a vibrant and efficient smallholder farming sector, so rural households should maximise the use of the productive lands that are available to them to produce food.⁸⁴⁰ Land rights and food security measures are interlinked.

Land plays an important role in rural livelihoods for agricultural production, homestead cultivation and practices of natural resource harvesting and, as a result, its availability is crucial for such households.⁸⁴¹ However, subsistence farmers often lack access to sizeable land for their farming activities. Okunlola *et al*⁸⁴² indicated that of the 1,569 farmers working on 10,860 cultivated plots of one to five hectares, only 690 farmers cultivated farm sizes averaging 10 to 50 hectares, and 50% of the farmers cultivated different farm sizes in the form of

⁸³⁸ RDP para 2.4.1.

⁸³⁹ White Paper on Land (1997) 35.

⁸⁴⁰ Tshuma 2012 *African Journal of Agricultural Research* 1973.

⁸⁴¹ Neves and Du Toit 2013 *Journal of Agrarian Change* 102–103; see also Kepe and Tessaro 2014 *Land Use Policy* 268–273.

⁸⁴² Okunlola *et al* 2016 PLAAS *Research Report* 20–21.

co-operatives.⁸⁴³ In addition, Cousins⁸⁴⁴ observes "7.7% of irrigated land or about 100,000 hectares in rural areas is cultivated by small-scale farmers, and half of this land comprises backyard gardens". The several GHSes that indicated that most agricultural activities take place in backyard gardens support this observation.⁸⁴⁵ In fact, in 2015, 11.8% of South African households cultivated farmlands.⁸⁴⁶

Considering that, rural provinces have the highest percentage of households engaging in farming, access to arable land is clearly inadequate. Several studies indicate that land is still a great constraint for farmers and greatly affects yield productions.⁸⁴⁷ Access to land and infrastructure is necessary in order to revitalise smallholder farming in South Africa, especially in the rural areas.⁸⁴⁸ Therefore, land distribution is integral to improving small-scale farming.⁸⁴⁹ The government's land reform programme is vital to ensuring that households, specifically in rural areas, achieve food security.

Godfray *et al*⁸⁵⁰ argue that "the same or less agricultural land should be optimally used by farmers to produce sufficient food and call this process sustainable intensification". This process involves increasing the frequency of cultivation, including labour and technical inputs, in order to make the land more productive.⁸⁵¹ The land reform programme should be implemented in the light of new farming technologies and agro-ecological systems that enhance the productiveness of the land. The land reform process should consider the needs of subsistence farmers when dealing with land distribution and where possible should ensure that households that are engaged in subsistence agriculture are assigned sizeable plots of land.

⁸⁴³ Okunlola et al 2016 PLAAS *Research Report* 20–21.

⁸⁴⁴ Cousins 2013 *Journal of Agrarian Change* 125–126.

⁸⁴⁵ See paras 5.3.1–5.3.4 of thesis.

⁸⁴⁶ GHS (2015) 67.

⁸⁴⁷ See table 11-1 in this thesis.

⁸⁴⁸ See Nel and Davies 1999 <http://contentpro.seals.ac.za>; see also Kongolo 2012 *African Journal of Agricultural Research* 353–356.

⁸⁴⁹ Lahiff and Cousins 2005 *IDS Bulletin* 128.

⁸⁵⁰ Godfray *et al* 2010 *SCIENCE* 813.

⁸⁵¹ Carswell 1997 *IDS Working Paper* 10.

As indicated in paragraph 3.5.2 and Table 11-1, one of the major constraints in effective subsistence farming is the availability of arable agricultural land. The literature indicates that some of the responses to land constraints include agricultural intensification and rural development, by encouraging the integration of off-farm and on-farm employment opportunities. Rural households need to embark on agricultural intensification and non-farm activities in order to deal with land constraints.⁸⁵² This will enable rural households to supplement their farming activities and maintain a stable income that will minimise incidences of food insecurity.⁸⁵³

In South Africa, the government views subsistence agriculture as part of rural development.⁸⁵⁴ The lack of sustainable livelihoods forces rural households, especially those with small landholdings, to diversify their livelihoods through migration, to supplement household income.⁸⁵⁵ The importance of effective rural development may also be necessitated by the fact that subsistence farming provides only a fraction of rural households' food demands and such households often need to engage in alternative livelihoods to purchase food.⁸⁵⁶ Government policies should aim to create jobs and non-farm livelihood opportunities for rural households.⁸⁵⁷

5.4.3 Water shortage as a constraint in subsistence farming

In South Africa, the right to have access to sufficient water is more than a basic human right for rural households; it is a livelihood resource, especially for subsistence farmers. For instance, subsistence farmers rely on either rain or irrigation in order to cultivate their crops. Baipheti *et al*⁸⁵⁸ indicate that 41% of sub-Saharan Africa's agricultural land is situated in semi-arid areas and only a small part of such land is under irrigation. An estimated 1.3 million hectares is

⁸⁵² Chamberlin, Jayne and Headey 2014 *Food Policy* 52.

⁸⁵³ Jayne, Chamberlin and Headey 2014 *Food Policy* 12.

⁸⁵⁴ See para 3.5.3 of this thesis.

⁸⁵⁵ Hunter *et al* 2014 *Popul Space Place* 3–4; see also Rigg 2006 *World Development* 186–187.

⁸⁵⁶ Irz *et al* 2001 *Development Policy Review* 452.

⁸⁵⁷ See Cousins *Land Reform in South Africa is Sinking: Can it be Saved?*.

⁸⁵⁸ Baipheti *et al* 2009 *African Journal of Agricultural Research* 1358.

under irrigation and only 0.1 million hectares is being used by smallholder farmers in this region.⁸⁵⁹ Subsistence farmers need to adopt efficient measures that aim to conserve water for their activities. Irrigation schemes are viable pathways of ensuring water availability for farming purposes.⁸⁶⁰ Since irrigation schemes often involve a number of farmers coming together, this assists with providing shared water distribution.⁸⁶¹ At the same time, it is worth noting that irrigated agriculture should be properly managed in order to benefit the farmers. Farmers should adopt suitable cropping systems and proper water management methods that ensure an increase in production while using irrigation.⁸⁶² Studies indicate that over-irrigation can result in low crop yields.⁸⁶³

Another pathway to conserving water is the use of rain-harvesting. Considering that South Africa is the 30th driest country in the world, rain-harvesting can be a useful alternative for subsistence farmers.⁸⁶⁴ One such method is the infield rain-harvesting technique, "which consists of water harvesting, no till, basin tillage and mulching on high drought risk clay soils and reduces total runoff to zero and evaporation from the surface".⁸⁶⁵ This method is critical, especially considering the scarcity of water in rural households. The availability of water is integral to subsistence farming, because subsistence farming activities require the availability of water, and creating an enabling environment for such activities to take place is at the core of adopting subsistence agriculture as a food security intervention. Agricultural policies should not only cater for food security strategies but also for the intervening factors that can negatively affect the implementation of such strategies.

⁸⁵⁹ Fanadzo, Chiduzo and Mnkeni 2010 *African Journal of Agricultural Research* 3515.

⁸⁶⁰ Van Averbek, Denison and Mnkeni 2011 *Water SA* 797.

⁸⁶¹ Van Averbek, Denison and Mnkeni 2011 *Water SA* 798–800.

⁸⁶² Fanadzo, Chiduzo and Mnkeni 2010 *African Journal of Agricultural Research* 3517–3520.

⁸⁶³ Machethe *et al* 2004 WRC Report No 1050/1/04, 100; see also Fanadzo 2012 *African Journal of Agricultural Research* 1956–1957.

⁸⁶⁴ Fanadzo 2012 *African Journal of Agricultural Research* 1956.

⁸⁶⁵ Baiphetei *et al* 2009 *African Journal of Agricultural Research* 1359.

Hazell⁸⁶⁶ asserts that investigated water and livelihoods indicated that rural households obtain water from rivers, taps, open wells and tubewells. All these water sources are used by households for domestic and agricultural use.⁸⁶⁷ Needless to say, agricultural activities consume more water than other activities, hence the need to adopt viable and efficient water strategies.⁸⁶⁸ For this reason, dry-land farming in home gardens usually yields low crops due to water deficits during the growing season.⁸⁶⁹ Therefore, it is suggested that infrastructure in rural households should include the establishing of water bodies.⁸⁷⁰ Finally, water is a resource that enables subsistence farmers to sustain their agricultural activities. To this end, the government is required to ensure that these farmers adopt irrigated agriculture and other water-conserving techniques as envisaged in the CASP and Ilima/Letsema programmes. Extension services that are provided to subsistence farmers should include proper training on water use and management.

5.5 Conclusion

The chapter sought to determine the impact of subsistence farming as a long-term food security intervention at household level and its efficacy in achieving household food security. The analysis and discussion of numerous international, regional and national policies showed that subsistence agriculture is viewed as the most viable and efficient pathway to reducing household food insecurity. This approach to agriculture requires governments to adopt robust programmes that aim to promote the adoption of smallholder farming as a strategy that effectively ensure the realisation of the right to have access to food for poor households. However, case studies indicate that although subsistence agriculture is formidable as a source of additional food, it is inadequate as a main source of food, an extra source of income or a main source of income for poor households.

⁸⁶⁶ Hazell 2010 *SDS Research Report* 69–73.

⁸⁶⁷ Hazell 2010 *SDS Research Report* 75–77.

⁸⁶⁸ Hazell 2010 *SDS Research Report* 83.

⁸⁶⁹ Van Averbeké and Khosa 2007 *Water SA* 416.

⁸⁷⁰ Tshuma 2014 *African Journal of Agricultural Research* 2415–2416.

Subsistence agriculture as a primary source of food is actually insignificant. Case studies and the General Household Surveys, indicate that own production is not considered a viable source of food for households. This results in the government's goal of ensuring that rural households derive 60% of their food from farming activities being unattainable. This is due to the problems that are encountered in the implementation of agricultural policies and other external factors, such as lack of market access for subsistence farmers, lack of arable land, inadequate water for productive purposes, poor infrastructure and lack of farming skills.

For subsistence agriculture to be a success these factors must be promptly addressed. In reality, agricultural programmes do not reach their intended target, the smallholder farmers, as indicated in government reports. Therefore, the government needs to conduct a proper review of its policies and programmes to ensure that the targets set for agricultural growth for 2019 and 2030 are achievable. The availability of arable land for subsistence farmers is important. One major constraint to effective subsistence agriculture is access to sizeable farmland. Large areas of farmland enable subsistence farmers to produce better yields and extra income from surplus produce, resulting in more food secure households.

One area that needs constant review is the issue of extension services. These services should be compatible with the prevailing realities in communities, for instance, backyard farming and farming practices suitable for traditional crop farming. Unless the factors that negatively affect subsistence farming are addressed, the right to have access to sufficient food will remain out of reach for the rural poor. This means that the requirements entrenched in section 27(2) of the *Constitution* need to be efficiently fulfilled in accordance with South Africa's regional and international commitments and obligations.

The government's failure to properly implement agriculture policies and legislative frameworks leads to households relying on non-farm income sources, especially social grants. This dependence on social grants means that such

households continue to suffer from food insecurity. Hence, the goal of ensuring that rural households become self-sufficient in supplying the majority of their food demands cannot be reached. Some households might be discouraged from engaging in farming activities due to insufficient government support and lack of support for subsistence farmers. However, despite the challenges that subsistence farmers face, agriculture presents a viable food source strategy for rural households. Case studies and literature indicate that subsistence farming not only has the potential to meet households' food demands but promotes food sovereignty and nutritious eating habits if agricultural policies and programmes are efficiently implemented and the intended beneficiaries are equipped with the requisite knowledge of farming management and skills.

Chapter 6: Extension services as support systems for small-scale farmers: Lessons from foreign jurisprudence

6 Agricultural extension services as support systems for small-scale farmers

6.1 Introduction

This chapter provides a comparative analysis of three countries, namely Tanzania, Uganda and Nigeria. The countries selected are similar to South Africa, with the majority of the rural households relying on small-scale and subsistence farming as a livelihood. Moreover, literature and agricultural policies indicate that these countries have made great advances in the provision of extension services, especially through farmer groups, the use of technology, and the use of private organisations as extension providers. A comparative study is beneficial for South Africa's subsistence agriculture sector.⁸⁷¹ Tanzania has well-crafted legislation and other measures that promote agricultural transformation.⁸⁷² Therefore, this could be beneficial to South Africa as Tanzania's legislative frameworks are efficiently implemented.

This chapter indicates how agricultural support systems, specifically extension services, are used to provide the needed support to small-scale and subsistence farmers. Firstly, the country profiles of the selected countries in relation to the right to food and its agricultural sector are discussed. Secondly, the pertinent agricultural policies and frameworks are analysed to determine the agricultural support systems available to small-scale farmers. Thirdly, the challenges that small-scale farmers face in respect of extension services and the approaches that the respective governments have adopted to deal with these challenges will be examined. Finally, an assessment is made to determine whether the extension

⁸⁷¹ The comparative compares the selected countries with each other and with South Africa. See para 1.5 of this thesis.

⁸⁷² See para 6.2.2.1-6.2.2.5 of this thesis; see also Amani 2006 *Working Paper* 34-36.

knowledge and technologies discussed can be applied to advance subsistence farming in South Africa.

6.2 The right to food and agricultural profile of Tanzania

6.2.1 Introduction

Although the right to have access to food is not explicitly entrenched in the Constitution of the United Republic of Tanzania of 1977 ("Tanzanian Constitution"), this right is broadly protected within other rights. Article 11(1) of the Tanzanian Constitution provides that the state should make appropriate provision for the realisation of a person's social welfare at times of old age, sickness or disability and in cases of incapacity. Article 9(1) provides that the state and its agencies are obligated to direct their policies and programmes⁸⁷³ towards ensuring that the use of natural resources emphasises the development of people, particularly the eradication of poverty. These provisions require the state to ensure that the livelihood needs of the people are advanced.

The government of Tanzania takes account of the right to human dignity as entrenched in the UDHR and article 9(a) and (f) of the Tanzanian Constitution. In addition, the government of Tanzania has over the years signed and ratified some important international and regional human rights instruments, such as the ICESCR,⁸⁷⁴ CEDAW,⁸⁷⁵ the CRC,⁸⁷⁶ the African Charter,⁸⁷⁷ the African Children's Charter⁸⁷⁸ and the Protocol to the African Human and Peoples' Rights on the Rights of Women in Africa⁸⁷⁹ ("African Women's Protocol"), all of which ensure the protection and realisation of the right to food. Furthermore, Tanzania has adopted numerous medium-term and long-term policies and programmes that

⁸⁷³ One such programme is the National Agricultural Input Voucher Scheme 2009–2012, which is aimed at providing small-scale farmers with fertilisers.

⁸⁷⁴ ICESCR art 11.

⁸⁷⁵ CEDAW art 14.

⁸⁷⁶ CRC art 24.

⁸⁷⁷ African Charter art 22.

⁸⁷⁸ African Children's Charter art 14.

⁸⁷⁹ African Women's Protocol art 15.

give effect to the right to food. The most important of these policies are discussed below.

Most of the policies that the government of Tanzania has enacted promotes agricultural transformation. Tanzania has a population that relies predominantly on subsistence agriculture for livelihood, since 69% of Tanzania's population of 53.5 million people resides in rural areas.⁸⁸⁰ According to the FAO Country Programming Framework of Tanzania 2014–2016,⁸⁸¹ "by 2010 agriculture contributed 30% of the GDP, provided 80% of employment and 85% of all export earnings". In 2014, the agricultural sector "contributed 31% of the GDP and employed 67% of the population".⁸⁸²

The Tanzanian Livelihood Baseline Profile of Mbulu-Karatu Midlands of 2016⁸⁸³ indicates that at least 40% of the very poor households and 60% of the poor households depended on own crop (maize) production as a food source. The Household Budget Survey Main Report 2011/12 indicates that at least three-quarters of the Mainland households relied on the agricultural sector as a source of livelihood.⁸⁸⁴ Therefore, 95.2% of rural households in the Tanzanian Mainland either owned or cultivated land for agricultural purposes.⁸⁸⁵ The government of Tanzania thus respects and promotes the right to have access to food. This report confirms the findings of the National Sample Census of Agriculture 2007/2008 of Mwanza region, which revealed that 52.6% of households in that region relied on crop farming.⁸⁸⁶

The Agriculture Sample Census Preliminary Report of the United Republic of Tanzania 2007/2008⁸⁸⁷ ("Agriculture Census Preliminary Report 2007/2008") indicates that the number of households involved in small-scale farming was

⁸⁸⁰ 2014 Country Profile Tanzania

http://www.fao.org/nr/water/aquastat/countries_regions/TZA/.

⁸⁸¹ 2014–2016 Tanzania Country Programming Framework para 3.1.

⁸⁸² 2014 Country Profile Tanzania

http://www.fao.org/nr/water/aquastat/countries_regions/TZA/.

⁸⁸³ 2016 Mbulu-Karatu Midlands Maize, Beans and Livestock Livelihood Zone Profile 7.

⁸⁸⁴ Tanzania Household Budget Survey Main Report 2011/12 72.

⁸⁸⁵ Tanzania Household Budget Survey Main Report 2011/12 73.

⁸⁸⁶ Mwanza Region National Sample Census of Agriculture 2007/2008 17.

⁸⁸⁷ Agriculture Census Preliminary Report 2007/2008 7–8.

5,838,523 for the whole country, and 5,706,329 of those households were situated in rural areas. This reveals that subsistence agriculture plays an important role in promoting food security, especially for rural households. According to the Tanzanian Agriculture Sample Census Final Report 2007/2008 ("Agriculture Census Final Report 2007/2008"),⁸⁸⁸ there are 31,013,026 rural smallholder households in Tanzania, and 61.6% of these households rely on staple foods such as maize, cassava, bananas and beans as a main source of income.⁸⁸⁹

Despite the potential that small-scale agriculture presents in Tanzania, small-scale farming is affected by low productivity. The National Agriculture Policy of 2013 ("NAP") indicates that 44 million hectares of land are suitable for agriculture, but only 10.8 million hectares are cultivated under subsistence agriculture.⁸⁹⁰ The following challenges contribute to low production in using agricultural land: poor rural infrastructure, inadequate technical support services, under-developed irrigation systems, lack of access to financial services, and environmental factors.⁸⁹¹ The Tanzanian government adopted the Climate Resilience Plan of 2014–2019 to deal with volatile climate changes affecting agricultural production. The objectives of this plan include improving agricultural water and land management by accelerating the use of climate smart agriculture practices ("CSA"), such as conservation agriculture.⁸⁹²

Tanzania's proactive plan is important since East Africa is vulnerable to land degradation because of soil erosion and natural disasters, caused by uneven and temporal rainfall distribution.⁸⁹³ The FAO's three priority areas for Tanzania's agricultural sector include "promoting agriculture as a profitable business, especially for small-scale farmers, promoting sustainable management of natural

⁸⁸⁸ Agriculture Census Final Report 2007/2008 11.

⁸⁸⁹ Agriculture Census Final Report 2007/2008 17.

⁸⁹⁰ NAP para 1.2.

⁸⁹¹ NAP para 1.3; see also OECD Overview of Progress and Policy Challenges in Tanzania 35–42.

⁸⁹² Tanzania Agriculture Climate Resilience Plan of 2014–2019 7–10 (Executive Summary).

⁸⁹³ Lal *et al* Sustainable Intensification to Advance Food Security and Enhance Climate Resilience in Africa 24.

resources, promoting agricultural development, and planning".⁸⁹⁴ The Tanzanian government clearly respects and promotes the right to have access to food in its national policies as will be evident in the discussion to follow.

6.2.2 An analysis of pertinent agricultural policies in Tanzania

As shown above, Tanzania has a vast agricultural sector, especially in rural areas. The Tanzanian government therefore endeavours to ensure that agricultural transformation is prioritised. In order to actualise this goal, the Tanzanian government has enacted numerous agricultural policies and programmes. For the purposes of this study, several policies are analysed and discussed.⁸⁹⁵ These policies and programmes provide in-depth knowledge about how the Tanzanian government has transformed subsistence agriculture to meet the people's food security needs. This is vital in indicating the important role that medium-and long-term measures that promote the realisation of the right to food can play in reducing household food insecurity. The efficient realisation of the right to food within the context of international human rights law requires governments to cater for the long-term food needs of individuals and households. Countries are required to enact food policies and programmes that aim to promote sustainability.⁸⁹⁶ This involves creating an enabling environment for individuals and households to achieve food security through short-term, medium-term and long-term food security interventions.

6.2.2.1 Agricultural Sector Development Strategy and Agricultural Sector Development Programme of 2001

The main aim of the Agricultural Sector Development Strategy of 2001 ("ASDS") is to create an enabling environment to improve the profitability of the

⁸⁹⁴ 2014 Country Profile Tanzania
http://www.fao.org/nr/water/aquastat/countries_regions/TZA/.

⁸⁹⁵ The Agricultural Sector Development Strategy, the National Agriculture Policy, the Kilimo Kwanza, the Southern Agricultural Growth Corridor, the Tanzania Agriculture and Food Security Investment Plan, the Tanzania Agriculture Productivity Program, and the Tanzanian Development Vision 2025.

⁸⁹⁶ See para 2.2 of this thesis.

agricultural sector by improving farm income and reducing poverty.⁸⁹⁷ Campbell and Thornton⁸⁹⁸ estimated that agricultural lands would have grown by 12.2% by 2020 in Africa. This emphasises the importance of agriculture as a means of sustaining livelihoods and ensuring food security in Africa. This calls for robust initiatives to ensure that Tanzania's agricultural sector grows progressively in order to have a meaningful impact as a food security strategy.⁸⁹⁹

A strategic focus area identified in the ASDS in ensuring a viable agricultural sector is the provision of support services, such as extension training, information and technical services to smallholder farmers.⁹⁰⁰ Since subsistence farmers dominate Tanzania's agricultural sector, new technologies and farming practices must be introduced to improve productivity. This strategic priority will enable the government to address the constraints caused by inadequate extension services.⁹⁰¹

Furthermore, this strategic priority allows for the collaboration of both the public and private sectors in providing agricultural support services to smallholder farmers. Such collaboration ensures that services are demand-driven, relevant and participatory for the needs of smallholder farmers.⁹⁰² The Tanzanian Development Vision 2025 ("Vision 2025") provides that in order to attain a high quality of livelihood, strategies that should ensure food self-sufficiency and food security should be adopted,⁹⁰³ and that agriculture should be economically and technologically competitive to be productive.⁹⁰⁴ The sharing of technical skills and information on sustainable farming practices is therefore vital in the success of smallholder farming. The availability of information enables subsistence farmers to make informed decisions regarding production and marketing opportunities.⁹⁰⁵ The Agricultural Sector Development Programme ("ASDP") therefore emphasises

⁸⁹⁷ ASDS (Foreword).

⁸⁹⁸ Campbell and Thornton 2014 *CCAFS Info Note* 2–3.

⁸⁹⁹ ASDS paras 1.1–1.2.

⁹⁰⁰ ASDS (Executive Summary: Strategic areas for intervention, Priority (c)).

⁹⁰¹ ASDS para 4.2.1.

⁹⁰² Temu *et al*/2013 <https://www.tanzaniagateway.org/docs>.

⁹⁰³ Vision 2025 para 3.1.

⁹⁰⁴ Vision 2025 paras 1.2 and 1.2.5.

⁹⁰⁵ Ronald, Dulle and Honesta 2014 *Library Philosophy and Practice* 4.

the need for public and private institutions to disseminate relevant agricultural information to farmers.⁹⁰⁶

The ASDP identifies the use of Information and Communication Technologies ("ICTs") as integral in ensuring that farmers obtain the requisite information on agriculture.⁹⁰⁷ ICTS are important in providing extension and advisory services, especially to Tanzania's rural population. Accordingly, one objective of agricultural extension services in Tanzania is the provision of farmer education and publicity services for the proper dissemination of technologies and information.⁹⁰⁸ ICTs such as radios are widely available in rural areas and the rural population listen to radio programmes airing agricultural information.⁹⁰⁹ The ASDS and the ASDP provide an important platform that enables farmers to not only demand relevant extension services from the government but to participate in the decision-making processes.⁹¹⁰

6.2.2.2 The National Agriculture Policy of 2013

The above discussion shows that Tanzania adheres to the objectives and goals entrenched in the CAADP. The main objective of the CAADP, as discussed in paragraph 5.2.2.2, is to encourage African governments to adopt policies that enhance agricultural development.⁹¹¹ The aim of the National Agriculture Policy of 2013 ("NAP") is to address constraints that hinder the development of the agricultural sector in Tanzania.⁹¹² These challenges include low productivity, poor infrastructure, low participation of the country's private sector in agriculture, and inadequate agricultural support services.⁹¹³

The NAP advocates for the development of an agricultural sector that contributes to the improvement of livelihoods, economic growth and poverty alleviation

⁹⁰⁶ ASDP para 2.2 (table 1).

⁹⁰⁷ ASDP Annex 2.

⁹⁰⁸ Tanzanian NAP para 3.5.3.

⁹⁰⁹ Mtega and Ronald 2013 *International Journal of Information and Communication Technology Research* 67–68.

⁹¹⁰ Paras 3.5 and 4.2.2 of the ASDS.

⁹¹¹ See para 5.2.2.2 of this thesis.

⁹¹² Foreword to the Tanzanian NAP.

⁹¹³ Foreword to and para 1.3 of the Tanzanian NAP.

among Tanzanians.⁹¹⁴ To achieve this objective, the Tanzanian government endeavours to strengthen agricultural support and technical services through research, irrigation and extension training.⁹¹⁵ The transformation of agricultural extension services is seen as vital in imparting the correct knowledge and skills to farmers so that they adopt good agricultural practices.⁹¹⁶ Technical innovations will reduce yield gaps and increase agricultural productivity.⁹¹⁷

This observation is crucial specifically in ensuring that subsistence agriculture achieves its goal of promoting food security at household level. As indicated above,⁹¹⁸ medium- and long-term food insecurity alleviation requires a proactive extension system in order to be effective. To promote subsistence agriculture as a significant food security intervention, the NAP gives effect to the pillars of the Kilimo Kwanza Resolution of 2009 ("Kilimo Kwanza").

6.2.2.3 Kilimo Kwanza Resolution of 2009 and the Southern Agricultural Growth Corridor of 2010

The main objective of the Kilimo Kwanza is to transform Tanzania's agricultural sector in order to combat poverty and to enhance agricultural productivity through, among other methods, the use of appropriate agricultural technologies.⁹¹⁹ The main aim of the Kilimo Kwanza is to transform Tanzania's agricultural sector into both a livelihood resource and an economic source. To achieve this goal, the Kilimo Kwanza takes cognisance of the challenges to Tanzania's agricultural sector, such as lack of infrastructure and inadequate support services.⁹²⁰ The Kilimo Kwanza details 10 pillars upon which the resolution is achievable.⁹²¹ Pillars 8 and 9 are important for the purposes of this study. These pillars provide that the implementation of the Kilimo Kwanza depend on science, technology, human resources and infrastructural

⁹¹⁴ Tanzanian NAP para 2.2.3.

⁹¹⁵ Tanzanian NAP para 2.2.4.

⁹¹⁶ Tanzanian NAP para 3.5.1.

⁹¹⁷ Rajendran et al 2015 *Journal of Development and Agricultural Economics* 93.

⁹¹⁸ See paras 4.4, 4.4.1, 4.4.2 and Chapter 5 of this thesis.

⁹¹⁹ See Preamble to the Kilimo Kwanza.

⁹²⁰ Kilimo Kwanza para 5.

⁹²¹ Kilimo Kwanza para 5.

development to support agricultural transformation. These two pillars are at the heart of a transformative agriculture sector, because they are integral to creating an effective extension system.

The traditional extension system ("TES") should be revamped for extension services to reach more farmers. This entails the minimising of the challenges that farmers face in terms of awareness, knowledge and the adoption of technology or farming practices.⁹²² For this reason, investing in extension services is vital for improved agricultural productivity and increased farmer income.⁹²³ In addition to new extension approaches, infrastructure such as good transportation facilities, developed irrigation systems, adequate storage facilities and good market outlets must be available for farmers.⁹²⁴ Good infrastructure reduces transaction costs for both agricultural inputs and outputs.⁹²⁵ This enables farmers to produce more yields due to accessible technologies and easy market access.

From the above discussion, the Kilimo Kwanza seeks not only to enable farmers to produce food for food security purposes; the policy also seeks to assist farmers with adopting farming practices that are consonant with modern commercial farming.⁹²⁶ Paragraph 4 of Kilimo Kwanza mobilises the private sector to invest in the implementation of the Kilimo Kwanza. The Southern Agricultural Growth Corridor of 2010 ("SAGCOT") was therefore adopted with the purpose of ensuring a collaborative public–private sector partnership in order to achieve the objectives of Kilimo Kwanza. The main objective of SAGCOT is to provide smallholder farmers with opportunities to engage in profitable agriculture.⁹²⁷ This is consistent with FAO's first focus area in reviving Tanzania's agriculture sector: to promote agriculture as a profitable business by increasing productivity and engaging smallholder farmers and traders in marketing and commercialisation.⁹²⁸ The SAGCOT initiative aligns with Vision 2025 by

⁹²² Taye 2013 *African Evaluation Journal* 3.

⁹²³ Taye 2013 *African Evaluation Journal* 2–3.

⁹²⁴ Taye 2013 *African Evaluation Journal* 4; see also Pillar 9 (Annex to the Kilimo Kwanza).

⁹²⁵ Temu *et al* 2013 <https://www.tanzaniagateway.org>.

⁹²⁶ Kilimo Kwanza para 1.

⁹²⁷ 2011 SAGCOT Investment Blueprint 7.

⁹²⁸ See para 6.1 of this thesis.

spearheading an economy that moves from a low production agricultural economy to a semi-industrialised economy led by modernised and highly productive agricultural activities.⁹²⁹

6.2.2.4 Tanzania Agriculture Productivity Program (TAPP) 2009–2014

In Tanzania, agriculture and food security are considered the most vulnerable sectors, which require special policies to improve farmers' productivity and income.⁹³⁰ The National Agricultural Input Voucher Scheme 2009–2012 ("NAVIS") focused on ensuring that farmers involved in subsidy programmes continued to adopt new technologies for crop production once the subsidies were withdrawn, by providing smallholder farmers with vouchers to purchase fertilisers and seeds.⁹³¹ Awareness plays a key role in achieving sustained food security, especially for smallholder farmers.

Larsen and Lilleør⁹³² observe that Rural Initiatives for Participatory Agricultural Transformation (RIPAT Farmer Field Schools in Tanzania) aim to equip farmers with the necessary information, knowledge and experience in using a variety of technologies for agricultural production. This strategy of awareness and adoption is vital in improving agricultural productivity for small-scale farmers. Once farmers realise the benefits of new farming technologies, they tend to implement them regularly. A study by Kahimba *et al*⁹³³ indicates that farmers using conservation agriculture in Tanzania felt that without conservation agriculture technologies⁹³⁴ their yields would be lower. The use of conservation agriculture indicated that households produced 50 to 75% of their food requirements.⁹³⁵

⁹²⁹ Vision 2025 para 1.2.

⁹³⁰ Arslan, Belotti and Lipper 2016 *ESA Working Paper* 7.

⁹³¹ Malhotra 2013 *Repoa Brief* 1–4.

⁹³² Larsen and Lilleør 2014 *World Development* 845.

⁹³³ Kahimba *et al* 2014 *Natural Resources* 164.

⁹³⁴ Conservation agriculture is a farming approach that involves three basic principles, namely: minimum soil disturbance or no-tillage, permanent soil cover and diversified crop rotations or associations.

⁹³⁵ Kahimba *et al* 2014 *Natural Resources* 164; see also studies by Ndah *et al* 2015 *Land Degradation and Development* 133–141; Corbeels *et al* 2013 *Agriculture, Ecosystems and Environment* 1–16;

Owenya *et al* 2011 *International Journal of Agricultural Sustainability* 145–152.

Over the years Tanzania has adopted programmes and policies that promote the use of different farming technologies to achieve sustained productivity for small-scale farmers. The Tanzania Agriculture Productivity Programme 2009–2014 ("TAPP") is one such programme. The TAPP was a joint programme of USAID⁹³⁶ and the Tanzanian government, the aim of which was to increase smallholder incomes, nutrition and access to markets.⁹³⁷ The TAPP focused on transferring technological and business skills to farmers, attaining sustainable increases in rural incomes, and enhancing institutional capacities in the public and private sectors.⁹³⁸ This programme borrows heavily on Tanzania's existing policies on agricultural transformation, such as the ASDS and the ASDP. The ASDS has identified inappropriate farming technologies as an area of weakness that negatively affects Tanzania's agriculture sector.⁹³⁹

Several authors support the assertion that appropriate farming technologies have the potential to reduce food insecurity.⁹⁴⁰ Small-scale farmers rely on rain-fed farming; therefore, the use of basic irrigation technologies could extend the growing season and lead to more production.⁹⁴¹ The use of technological resources, such as improved seeds and inorganic fertilisers in developing countries, can greatly improve soil fertility and increase land productivity.⁹⁴²

The significance of subsistence agriculture as a food security is that households should have access to appropriate infrastructural, scientific and technological resources. Furthermore, good farming practices and modern technology are needed to transform subsistence agriculture and achieve food security in rural Africa. The TAPP identifies technologies such as good land preparation practices, hybrid seeds, and proper plant spacing and irrigation systems as vital to

⁹³⁶ TAPP was part of the USAID's Feed the Future initiative to reduce hunger and food insecurity in developing countries.

⁹³⁷ TAPP Final Report 2009–2015 para 1.

⁹³⁸ TAPP Final Report 2009–2015 para 2.2.

⁹³⁹ ASDS Background and para 2.3.2.

⁹⁴⁰ Owenya et al 2011 *International Journal of Agricultural Sustainability* 150.

⁹⁴¹ Schiavoni, Tramel and Mongula Alternative Agricultural Investment by and for Small-Scale Food Providers in Tanzania: A Right to Food and Food Sovereignty Perspective 20.

⁹⁴² Peterman, Behrman and Quisumbing 2010 *IFPRI Discussion Paper* 4.

achieving good crop yields.⁹⁴³ By the end of 2015, at least 70,301 individuals had been trained on improved production practices in Tanzania under the TAPP programme, a total of 23,159 hectares of land were under improved technologies, and 52,968 farmers had applied these technologies or land management practices.⁹⁴⁴

The policy measures that Tanzania has adopted indicate a move from traditional extension methods to new extension approaches that involve more than teaching farmers how to increase agricultural productivity; they also equip farmers with sustainable agricultural practices. Sustainable agricultural practices are at the heart of the concept of the development policy agenda which encompasses social, economic and environmental factors that affect the agricultural sector.⁹⁴⁵ Sustainable agricultural practices have 5 aspects: conservation of natural resources, environmentally non-degrading, technically appropriate, and economically and socially acceptable.⁹⁴⁶ This observation is supported by the case studies in paragraphs 5.3.1 to 5.3.4 above: extension services must be adaptable to the needs and demands of farmers. The major goal of sustainable agricultural practices is to improve agricultural productivity, household security and rural livelihoods within the context of the concept of food sovereignty.⁹⁴⁷

6.2.2.5 Tanzania Agriculture and Food Security Investment Plan (TAFSIP) of 2011

The goal of the Tanzania Agriculture and Food Security Investment Plan of 2011 ("TAFSIP") is to contribute to the national economic growth, household incomes and food security consonant with Tanzania's national⁹⁴⁸ and sectoral

⁹⁴³ TAPP Final Report 2009–2015 para 2.5.

⁹⁴⁴ TAPP Final Report 2009–2015 para 3.2.

⁹⁴⁵ Kassie et al 2013 *Technological Forecasting and Social Change* 526.

⁹⁴⁶ Kassie et al 2013 *Technological Forecasting and Social Change* 526.

⁹⁴⁷ Bullock, Mithöfer and Vihemäki "Sustainable Agricultural Intensification: The Role of Cardamom Agroforestry in the East Usambaras, Tanzania" 2; see also Altieri 2009 *Monthly Review* 103–112.

⁹⁴⁸ Some of the national frameworks that inform the objectives of TAFSIP are discussed in paras 6.2.2.1–6.2.2.4 of this thesis.

development aspirations.⁹⁴⁹ TAFSIP also borrows from the provisions of the CAADP and is geared to promote Tanzania's agriculture sector as a staple food sector and meaningfully contributor to economic development.⁹⁵⁰ TAFSIP identifies success in Tanzania's agricultural sector as improved agricultural technologies and knowledge, investments in irrigation equipment, and improved extension services, which include the use of Farmer Field Schools.⁹⁵¹ TAFSIP notes the crucial role of extension services and infrastructural development in agricultural development and commercialisation.⁹⁵²

The main objective of TAFSIP and TAPP is the need to invest improved technical support services to ensure a resilient subsistence agriculture sector. An intensive transformation of the extension system is therefore needed to accommodate improved methods of transferring agricultural knowledge and innovations. Vision 2025 sets out Tanzania's developmental goals and provides that advanced information and communication technologies form the basis of competitive social and economic development, especially in the agricultural sector.⁹⁵³ Robust interventions in the area of agricultural technical support services are therefore integral in promoting sustainable agriculture.

6.2.3 Approaches to extension services in Tanzania

The discussion above reveals that Tanzania has made great advances in terms of enacting policies and programmes that promote sustainable agriculture. However, there are challenges in the implementation of such policies, such as poor physical infrastructure, inadequate extension services, access to input and output markets, and access to credit.⁹⁵⁴ This study examines how the Tanzanian government and the private sector have countered constraints related to the dissemination of extension knowledge, innovations and infrastructural under-development.

⁹⁴⁹ TAFSIP para 1.4 (Executive Summary).

⁹⁵⁰ TAFSIP paras 1.1–1.2.

⁹⁵¹ TAFSIP paras 2.4, 2.6 and 4.3.2.

⁹⁵² TAFSIP para 4.3.2.

⁹⁵³ Vision 2025 para 4.2(iv) and (vi).

⁹⁵⁴ Salami, Kamara and Brixiova 2010 *Working Papers Series* 21–29.

Infrastructural under-development is a huge challenge to small-scale farmers in Tanzania, because it limits their access to information and hinders the adoption of new extension methods.⁹⁵⁵ Poor infrastructure also limits access to markets and agricultural inputs,⁹⁵⁶ because the effectiveness of extension services is dependent on the timely provision of inputs, good access to markets and transportation facilities.⁹⁵⁷

Taking account of the literature discussed, vibrant and proactive approaches must be adopted in providing extension services to efficiently implement Tanzania's policies on agricultural transformation. The Tanzanian government has adopted the so-called e-agriculture method. According to the NAP, e-agriculture focuses on the use of ICTs to improve the efficiency of agricultural development processes and services,⁹⁵⁸ where an objective of the NAP is to promote the use of ICTs in information sharing in the agricultural value chains.⁹⁵⁹ Tanzania's extension systems have gradually moved away from the traditional extension system ("TES").

The TES mostly consists of the linear, advisory and facilitation models.⁹⁶⁰ The TES involves extension officers visiting farmers to transfer farming knowledge and good farming practices.⁹⁶¹ Although the TES is widely used in sub-Saharan Africa, it is insufficient to meet modern agricultural demands, especially in increasing production and food security. Some of the factors that causes the TES to be inefficient, especially in sub-Saharan Africa, include:

- "Remote geographical locations and poor sustainability since most small-scale farmers live in rural areas;
- Weak linkages between research centres and agricultural extension systems; and

⁹⁵⁵ Misaki, Apiola and Gaiani 2016 *EJISDC* 3–4.

⁹⁵⁶ OECD Overview of Progress and Policy Challenges in Tanzania; see also Schiavoni, Tramel and Mongula 2016 *Colloquium Paper* 25.

⁹⁵⁷ Taye 2013 *African Evaluation Journal* 4; see also Salami, Kamara and Brixiova 2010 *Working Papers Series* 27.

⁹⁵⁸ Tanzanian NAP para 3.30.1.

⁹⁵⁹ Tanzanian NAP para 3.30.3.

⁹⁶⁰ Abdu-Raheem and Worth 2011 *SAJAE* 96–97.

⁹⁶¹ Sanga, Kalungwizi and Msuya 2013 *IJEDICT* 80.

- Lack of monitoring of extension officials, which can lead to a lack of accountability".⁹⁶²

To avoid the challenges that affect the TES, the Tanzanian government has introduced E-agriculture and farmer field schools. In E-agriculture, ICTs such as mobile phones and radios are used. In the discussion, that follows the use of ICTs and farmer field schools are examined to determine how such extension methods have improved extension systems in Tanzania.

6.2.3.1 Improving Tanzania's extension system through the use of ICTs

In Tanzania, the major sources of information in rural areas are radios and mobile phones.⁹⁶³ Accordingly, Mtega *et al*⁹⁶⁴ observe that agricultural institutes in Tanzania provide ICT services that enable agricultural researchers and extension officers to access e-resources. In turn, extension officers use these e-resources to provide farmers with extension information. For instance, Tanzania's Farmer Voice Radio (FVR) project allows smallholder farmers to participate in the creation of radio programmes on agricultural issues that affect them.⁹⁶⁵ This results in farmers sharing agricultural information with other farmers and extension officers, known as Radio Extension Officers (REOs).⁹⁶⁶ Importantly, the extension officers share knowledge and technologies that would be shared in the TES.⁹⁶⁷ However, the FVR allows the REO to reach a far wider audience and this curtails problems associated with geographical dislocations.⁹⁶⁸

Unlike the TES, mobile phones and radios are used to communicate other important issues to farmers, such as weather changes and market information.⁹⁶⁹

⁹⁶² Aker Dial A for Agriculture.

⁹⁶³ Mtega and Ronald 2013 *International Journal of Information and Communication Technology Research* 66; see also Agriculture Census Final Report 2007/2008 147; see further Mtega and Msungu 2013 *EJISDC* 8.

⁹⁶⁴ Mtega *et al* 2014 *Library and Information Research* 48–55; see also Krone, Dannenberg and Nduru 2015 *Information Development* 2–3.

⁹⁶⁵ Sanga, Kalungwizi and Msuya 2013 *IJEDICT* 80–93.

⁹⁶⁶ Sanga, Kalungwizi and Msuya 2013 *IJEDICT* 81.

⁹⁶⁷ Sanga, Kalungwizi and Msuya 2013 *IJEDICT* 81–83.

⁹⁶⁸ Sanga, Kalungwizi and Msuya 2013 *IJEDICT* 91–92.

⁹⁶⁹ Deichmann, Goyal and Mishra 2016 *Policy Research Working Paper* 8.

According to Pretty *et al*,⁹⁷⁰ the information needs of subsistence farmers include information on sustainable food production systems, current and new technologies, market opportunities and prices of agricultural products. With the advent of mobile phones, farmers can easily obtain market information from each other.⁹⁷¹ A study by Sife, Kiondo and Lyimo-Macha⁹⁷² reveals that 294 respondents relied on mobile phones to obtain market information, especially prices of agricultural produce. Farmers also use mobile phones to obtain advice from extension officers during farming preparations, about the types of seeds and fertilisers to use during farming seasons,⁹⁷³ and they obtain climatic rain information using mobile phones and radios.⁹⁷⁴

Mobile phones have their limitations, especially in rural Tanzania, as they depend on the availability of infrastructure, such as electricity. Lack of electricity and high airtime tariffs affect the use of mobile phones.⁹⁷⁵ Studies indicate that the radio is the most reliable source of information in Tanzania's rural areas, due to it being a common asset in rural households.⁹⁷⁶

Despite the fact that ICT-based extension services are seen as effective in information dissemination, they have their limitations.⁹⁷⁷ These limitations include a failure to disseminate detailed information on agricultural practices and inputs, technologically illiteracy among farmers,⁹⁷⁸ and technical problems associated with ICTs.⁹⁷⁹ To close the gaps identified in the use of ICTs in agricultural extension, the Tanzanian government has introduced farmer field schools.

⁹⁷⁰ Pretty, Toulmin and Williams 2011 *International Journal of Agricultural Sustainability* 16.

⁹⁷¹ Pretty, Toulmin and Williams 2011 *International Journal of Agricultural Sustainability* 18; see also Misaki, Apiola and Gaiani 2016 *EJISDC* 2.

⁹⁷² Sife, Kiondo and Lyimo-Macha 2010 *EJISDC* 11.

⁹⁷³ Furuholt and Matotay 2011 *EJISDC* 10–11.

⁹⁷⁴ Hampson et al 2015 *CCAFS Working Paper* No 111 19.

⁹⁷⁵ Mtega and Ronald 2013 *International Journal of Information and Communication Technology Research* 70–71; see also Mtega and Msungu 2013 *EJISDC* 9.

⁹⁷⁶ Mtega and Msungu 2013 *EJISDC* 6–11; see also Mawazo, Kisangiri and Jesuk 2014 *ACSIJ* 42.

⁹⁷⁷ Aker Dial A for Agriculture 13.

⁹⁷⁸ See Mtega and Ronald 2013 *International Journal of Information and Communication Technology Research* 70.

⁹⁷⁹ Aker Dial A for Agriculture 13.

6.2.3.2 Improving Tanzania's extension system through farmer field schools

As already indicated, in Tanzania and other sub-Saharan countries, extension systems are typically provided by the government through public extension services.⁹⁸⁰ This results in the conventional top-down provision of extension knowledge, with the farmer being the passive recipient.⁹⁸¹ However, over the years, extension systems have evolved to include a variety of innovative approaches.⁹⁸² In Tanzania, one such approach to extension services is the establishment of farmer field schools ("FFS"). Davis⁹⁸³ defines FFS as a participatory method of learning, technological development and dissemination of extension knowledge, based on adult-learning principles, such as experiential learning. FFS operate similarly to small farmer groups ("SFGs"), which are meant to supplement FFS.⁹⁸⁴ In the SFGs model, the role of extension officers is limited to facilitating and training the group leaders, with the leaders training the other villagers in farming technologies.⁹⁸⁵

Pretty, Toulmin and Williams⁹⁸⁶ asserts that the FFS present a bottom-up approach and enable farmers to adopt farming systems suitable for their needs. A study by Larsen and Lilleør,⁹⁸⁷ based on farmers' groups and experiential learning, indicates that such an approach increases household food security. The introduction of production smoothing technologies allows farmers to cultivate crops outside their season to enable households benefit from certain foods outside their seasonal peaks.⁹⁸⁸ FFS are used not only to empower farmers to increase their food requirements but also to equip them with new technologies. The FFS approach serves as a viable platform to introduce sustainable farming practices, largely because they target a wider number of farmers.

⁹⁸⁰ Abdu-Raheem and Worth 2011 *SAJAE* 96–100; see also Davis 2008 *Journal of International Agricultural and Extension Education* 16–21.

⁹⁸¹ Abdu-Raheem and Worth 2011 *SAJAE* 96–97.

⁹⁸² Rutatora and Mattee 2001 *African Study Monographs* 155–173.

⁹⁸³ Davis 2008 *Journal of International Agricultural and Extension Education* 23.

⁹⁸⁴ Wambura *et al* 2007 *SAJAE* 39–52.

⁹⁸⁵ Wambura *et al* 2007 *SAJAE* 44–51.

⁹⁸⁶ Pretty, Toulmin and Williams 2011 *International Journal of Agricultural Sustainability* 17–18; see also Nakano *et al* 2015 *JICA Research Institute* 2–3.

⁹⁸⁷ Larsen and Lilleør 2014 *World Development* 843–844.

⁹⁸⁸ Larsen and Lilleør 2014 *World Development* 853–854.

A study by Owenya *et al*⁹⁸⁹ indicates how FFS are used to introduce non-conventional farming systems, such as conservation agriculture ("CA"), to local farmers in Tanzania. As already indicated in paragraph 6.2.2.4, the use of CA enhances production yields and contributes immensely to food security. In the study by Owenya *et al*,⁹⁹⁰ a total of 31 FFS comprising 765 farmers were established, and farmers received training on CA methods. Most importantly, in order for the FFS to be effective, extension workers received training on the use of CA and the FFS methodology.⁹⁹¹ In turn, extension workers trained farmers on CA methods, such as intercropping technologies, and the use of the farmers' traditional technologies.⁹⁹² For optimal success, farmers are taught to assess and evaluate the technologies and to adopt those most suitable to their farming needs.⁹⁹³ In the end, trained farmers transfer their farming skills to other farmers. This results in more farmers adopting new technologies and this assists with achieving the millennium goal on poverty and hunger alleviation.⁹⁹⁴ The FFS approach, when combined with other extension methods, provides an inexpensive and sustainable way of transferring extension knowledge and innovations to farmers.⁹⁹⁵

Such an approach brings about farmer empowerment, in that it provides demand-driven advisory services.⁹⁹⁶ The FFS approach is therefore at the heart of the right to food approach, since the right to food entails more than having access to food. The right also consists of other factors that empower people to participate in decision-making processes, such as the suitability of agricultural technologies to their farming systems.⁹⁹⁷ The FFS approach provides an enabling environment for farmers to make a meaningful contribution to extension technologies. This is confirmed by the Tanzanian Climate Resilience Plan 2014–

⁹⁸⁹ Owenya et al 2011 *International Journal of Agricultural Sustainability* 145.

⁹⁹⁰ Owenya et al 2011 *International Journal of Agricultural Sustainability* 147.

⁹⁹¹ Owenya et al 2011 *International Journal of Agricultural Sustainability* 157.

⁹⁹² Owenya et al 2011 *International Journal of Agricultural Sustainability* 147–149.

⁹⁹³ Owenya et al 2011 *International Journal of Agricultural Sustainability* 148.

⁹⁹⁴ Owenya et al 2011 *International Journal of Agricultural Sustainability* 150–152.

⁹⁹⁵ Daniel et al 2013 *AfricaRice Internship Report* 25–26.

⁹⁹⁶ Friis-Hansen and Duveskog 2012 *World Development* 414.

⁹⁹⁷ Mechlem 2004 *European Law Journal* 647–648; see also UN Practice Note 6.

2019, which provides that one way of creating CSA is to increase awareness and capacity for CSA practices by including such practices in FFS.⁹⁹⁸

In conclusion, the FFS approach provides a platform for farmers and extension officers to share extension innovations and also enables other stakeholders (such as the private sector and international agencies) to participate in the development of agricultural technologies.⁹⁹⁹ The FFS approach allows extension workers to reach a wider target market than traditional extension methods allow. Farmers can take ownership of extension services, innovations and technologies learnt and are able to adjust them according to their individual needs. This approach effectively complements the TES and reduces the constraints associated with travel costs and infrastructural under-development. The above discussion also shows how the Tanzanian government uses subsistence agriculture as a source of increasing food access for households rather than as a means to supplement household income. The primary concern is for households to have sufficient food for consumption rather than to produce food for commercial purposes.

6.3 The right to food and agricultural profile of Uganda

6.3.1 Introduction

The discussion above showed how the government of Tanzania has used agricultural transformation as a sustainable food security intervention by focusing first on increasing food security and secondly on the commercialisation of subsistence farming. This approach is important because it enables subsistence producers to achieve the right to food and to use the surplus agricultural produce to supplement household incomes. This assists countries with discharging their international obligations and commitments of ensuring that medium to long-term

⁹⁹⁸ Tanzania Agriculture Climate Resilience Plan of 2014–2019 para 2.8.

⁹⁹⁹ TAPP Final Report 2009–2015 paras 2.1–2.3.

food security interventions are effectively implemented in realising the right to food as entrenched in international instruments.¹⁰⁰⁰

Uganda is a good example of how a vast subsistence agriculture population uses agriculture to meet its household food demands. The importance of agricultural transformation in Uganda is also beyond the well-coordinated legislative frameworks but is critical in implementing agricultural extension services. In Uganda, extension services are demand-driven and are meant to empower farmers by promoting the use of innovative extension technologies.¹⁰⁰¹ This example enables this study to gauge whether the South African government has done enough in using subsistence agriculture as a food security intervention. Such a comparison also examines the government's achievements and shortfalls in realising the right to have access to food including the implementation of other measures as envisaged in section 27(2) of the Constitution. To this end, the provision of "other measures" in the form of extension services is critical in promoting effective subsistence farming.

The Ugandan government, like the Tanzanian government, has adopted numerous legislative frameworks on agricultural transformation and the realisation of the right to food. The Constitution of the Republic of Uganda, 1995 ("Ugandan Constitution") entrenches a series of socio-economic objectives, including the obligation to ensure the fulfilment of fundamental rights to social justice and economic development, particularly food security.¹⁰⁰² Article XXII(a) of the Ugandan Constitution provides that "the state shall take appropriate steps to encourage people to grow and store adequate food, to encourage and promote proper nutrition through mass education, and adopt other appropriate means in order to build a healthy state".¹⁰⁰³ The Uganda Food and Nutrition

¹⁰⁰⁰ See para 5.2.1 of this thesis.

¹⁰⁰¹ Sebaggala and Matovu 2020 *Research Paper* 379, 5-8

¹⁰⁰² Ugandan Constitution art XIV.

¹⁰⁰³ Art XXII(a) of the Ugandan Constitution.

Policy, 2003 ("UFNP") recognises the role of international treaties and conventions in promoting the right to adequate food.¹⁰⁰⁴

The Ugandan government uses the provisions of such treaties and conventions as the basis of its national objectives and directive principles in discharging the right to adequate food.¹⁰⁰⁵ For this reason, Uganda ratified the ICESCR, article 11(2) of which provides that state parties must ensure the proper realisation of the right to adequate food.¹⁰⁰⁶ The Ugandan government has adopted policies such as the UFNP, the Plan on Modernisation of Agriculture, the National Food and Nutrition Strategy, the Poverty Eradication Action Plan, the National Agriculture Policy and the Agriculture Sector Development Strategy and Investment Plan, all of which promote poverty eradication, increasing food security, and agricultural transformation.

These national frameworks are vital in realising the right to food in Uganda for two reasons. Firstly, the majority of Uganda's population depends on subsistence agriculture. In 2013, Uganda had an estimated population of 37.6 million people, with 83.6% of the population residing in rural areas.¹⁰⁰⁷ According to the FAO's Country Programming Framework 2015–2019, "subsistence produce accounts for 22.2% of Uganda's total GDP and is a livelihood source for at least 70% of the population".¹⁰⁰⁸ Secondly, only one-third of the country's arable land is under cultivation.¹⁰⁰⁹ According to the Uganda Bureau of Statistics Statistical Report 2015, agricultural land covered 38% of the country's land.¹⁰¹⁰ With an estimated 14 million hectares of arable land, there is potential to grow the agricultural sector.¹⁰¹¹ As a result, Uganda's agricultural sector must be improved and

¹⁰⁰⁴ UFNP para 1.1.

¹⁰⁰⁵ UFNP para 1.1.

¹⁰⁰⁶ Uganda Food Security Strategy para 1.3.

¹⁰⁰⁷ 2014 Country Profile Uganda http://www.fao.org/nr/water/aquastat/countries_regions/UGA/.

¹⁰⁰⁸ 2015–2019 Uganda Country Programming Framework para 2.2.4; see also Mutimba 2014 *SAJAE* 6.

¹⁰⁰⁹ 2015–2019 Uganda Country Programming Framework para 2.2.4.1 (Uganda also has an estimated 4 million small-scale farmers cultivating less than 2 hectares).

¹⁰¹⁰ Uganda Bureau of Statistics 2015 Statistical Abstract para 1.1.

¹⁰¹¹ 2014 Country Profile Uganda http://www.fao.org/nr/water/aquastat/countries_regions/UGA/.

modernised through production-enhancing technologies and extension services.¹⁰¹²

The government should strive to transform Uganda's agricultural sector from being mainly subsistence to commercial. This can be done by enacting strategies that increase productivity, improve access to arable land, improve access to market information and increase outputs.¹⁰¹³ In addition to these strategies, the Ugandan government needs to adopt strategies addressing food and nutrition.¹⁰¹⁴ The Agriculture Sector Development Strategy and Investment Plan 2010/11–2014/15 ("DSIP") indicates that although food is available at national level, many rural households lack access to food.¹⁰¹⁵ Therefore, strategies should be adopted to increase the rural household's purchasing power and agricultural production should be used to generate income for such households.¹⁰¹⁶

One such strategy is the provision of extension services, which should be used to improve rural livelihoods by equipping farmers with technical knowledge on the nutritional benefits of crops and aspects of food security.¹⁰¹⁷ Bahiigwa¹⁰¹⁸ states that increasing agricultural productivity for rural households will have two results, namely (a) the reduction of rural poverty through increased household income; and (b) sustainable household and national food security. Uganda will thus be able to attain the objectives set out in the Maputo Declaration and the CAADP, which aim to ensure that countries adopt pro-good governance interventions targeted at poverty eradication.¹⁰¹⁹ This indicates the important role that agriculture plays in securing the socio-economic well-being of individuals and households.¹⁰²⁰ The FAO's priority areas for Uganda focus on promoting

¹⁰¹² Bahiigwa Household Food Security in Uganda: An Empirical Analysis 6.

¹⁰¹³ PMA para 4.7 (table 4.1); see also Adong, Muhumuza and Mbowa 2014 *EPRC Policy Brief* 1–3.

¹⁰¹⁴ DSIP para 2.1.3.

¹⁰¹⁵ DSIP para 2.1.3.

¹⁰¹⁶ DSIP para 2.1.3.

¹⁰¹⁷ Fanzo et al 2015 *Food and Nutrition Bulletin* 126–128.

¹⁰¹⁸ Bahiigwa Household Food Security in Uganda: An Empirical Analysis 6.

¹⁰¹⁹ See paras 2.4.3, 2.4.3.1–2.4.3.2, and 3.3.1.2 of this thesis.

¹⁰²⁰ See paras 3.5.1–3.5.3 of this thesis.

production and the productivity of agriculture, agricultural knowledge and information, and resilience to livelihood threats.¹⁰²¹

6.3.2 An analysis of pertinent agricultural policies in Uganda

The Ugandan government has over the years enacted legislative frameworks that promote agricultural transformation through short-term and long-term strategies. . Various policies are analysed and discussed.¹⁰²²

6.3.2.1 Uganda's Food Nutrition Policy, 2003 and Poverty Eradication Action Plan 2004/5–2007/8

Uganda's food security interventions are based on Uganda's Food Nutrition Policy, 2003 ("UFNP") and the Uganda National Food and Nutrition Strategy, 2005 ("UFNS"). The main objective of the UFNP is to promote food security and adequate nutrition.¹⁰²³ The UFNP draws from the Poverty Eradication Action Plan 2004/5–2007/8 ("PEAP"), the core objective of which is to provide a framework to guide public action to eradicate poverty.¹⁰²⁴ One pillar of PEAP is to enhance the agricultural production of rural communities through modernising agriculture.¹⁰²⁵

To achieve its main objective, the UFNP embodies key priority areas that include; "the availability, accessibility and affordability of food in quantities and qualities sufficient to satisfy the dietary needs of individuals sustainably, and to promote the formulation of appropriate policies, laws and standards for food security and nutrition".¹⁰²⁶

¹⁰²¹ 2014 Country Profile Uganda
http://www.fao.org/nr/water/aquastat/countries_regions/UGA/; see also paras 3.2.1–3.2.4 of the 2015–2019 Uganda Country Programming Framework.

¹⁰²² Uganda's Food and Nutrition Policy, the National Food and Nutrition Strategy, the Plan on Modernisation of Agriculture, the National Agriculture Policy, the Poverty Eradication Action Plan, the Agriculture Sector Development Strategy and Investment Plan, and Uganda's Vision 2040.

¹⁰²³ UFNP para 2.2.

¹⁰²⁴ PEAP para 1.1 and UFNP para 2.1.

¹⁰²⁵ PEAP para 1.3.

¹⁰²⁶ UFNP para 2.2.2.

To realise these priority areas the government should also take steps that improve agricultural technology, market access and market information, among others.¹⁰²⁷ These are the most common challenges that subsistence farmers and producers encounter, and they hamper agrarian transformation. Chapter 3 showed that the main purpose of agrarian transformation is not only to increase production, but also to adopt new technologies and farming practices,¹⁰²⁸ to ensure that subsistence agriculture becomes competitive and sustainable, allows households to participate in local markets, and increases a household's income.¹⁰²⁹ Addressing these challenges will enable countries to achieve food sovereignty, because the key elements of food sovereignty include promoting a rights-based approach to realising the right to food and promoting access to productive resources as a way to produce sufficient food and to promote trade and local markets that produce sufficient food.¹⁰³⁰

This also calls for the strengthening of advisory services for the benefit of all farmers.¹⁰³¹ The National Agricultural Advisory Services are charged with promoting food security, nutrition, and household incomes through increasing productivity and market-oriented farming; empowering farmers to access and utilise contractual agricultural advisory services; and developing private sector-based advisory delivery capacity and systems and assure quality of services.¹⁰³² One strategic focus of the UFNS is to transform Uganda into a hunger-free and properly nourished nation by promoting appropriate agricultural technologies and crops that provide significant nutritional advantages.¹⁰³³ The UFNS identifies agriculture and access to market systems as integral in ensuring that individuals and households in rural areas are food secure.¹⁰³⁴

¹⁰²⁷ UFNP para 3.1.

¹⁰²⁸ See paras 3.5.2 and 3.5.3 of this thesis.

¹⁰²⁹ See para 5.4.1 of this thesis.

¹⁰³⁰ See para 2.3.4 of this thesis.

¹⁰³¹ UFNP paras 3.1.2–3.1.3.

¹⁰³² NAADS Act art 5.

¹⁰³³ UFNS para 6.2.

¹⁰³⁴ UFNS para 2.1.1.

In order for households to be food secure, access to information on farming technologies and market access should be made available to subsistence farmers. PEAP regards access to information as vital in enhancing smallholder agricultural production in Uganda.¹⁰³⁵ In agriculture, knowledge serves three purposes, namely:

- (a) "It helps researchers to understand the potential use of the disseminated technologies and this helps to assess the impact of researchers in imparting extension knowledge;
- (b) It helps with understanding the constraints of the technologies employed in agricultural activities;
- (c) It helps with designing ways of improving knowledge transfer to farmers".¹⁰³⁶

Access to agricultural information is vital in addressing the issues raised in chapters 4 and 5, namely "that extension services are integral in communicating useful information to farmers, such as new technologies and market related information".¹⁰³⁷ Access to information enables farmers to adapt their traditional farming practices and adopt new agroecological farming practices,¹⁰³⁸ and to constantly review the compatibility of new technologies and existing farming technologies.¹⁰³⁹ Subsistence agriculture as a food security intervention is thus strengthened and households become receptive to new agroecological practices, thereby increasing their food production and reducing food insecurity.

Access to information clearly plays an important role in improving food security and nutrition.¹⁰⁴⁰ Access to information allows both extension workers and farmers to learn about relevant technologies and innovations that will ensure

¹⁰³⁵ PEAP para 4.2; see also Shiferaw *et al* 2015 *Agricultural Economics* 2.

¹⁰³⁶ Bonabana-Wabbi *et al* 2015 *JAERD* 248.

¹⁰³⁷ See paras 4.4.2 and 5.4.1 of this thesis.

¹⁰³⁸ See para 5.2.1.3 of this thesis.

¹⁰³⁹ See para 5.5 of this thesis.

¹⁰⁴⁰ UFNP paras 3.12.1–3.12.3.

effective farming. This calls for the strengthening of advisory services for the benefit of all farmers.¹⁰⁴¹

6.3.2.2 Plan on Modernisation of Agriculture 2000 and National Agriculture Policy 2013

As already indicated, Uganda's long-term food, security intervention is to promote agricultural transformation. This has led to the promulgation of policies that aim to transform subsistence agriculture into commercial agriculture. The purpose of the Plan on Modernisation of Agriculture 2000 ("PMA") is to transform subsistence agriculture into commercial agriculture by enabling subsistence farmers to enter the formal market.¹⁰⁴² Some of the objectives of the PMA promote agricultural development in order to eradicate poverty, to support the dissemination and adoption of productivity-enhancing technologies, and to guarantee food security through market access and improved income by allowing households to commercialise their produce.¹⁰⁴³

Uganda has since enacted the *National Agricultural Advisory Services Act* 2001 ("NAADS Act") to achieve the optimal availability of agricultural advisory services. The NAADS Act has five core objectives, namely providing advisory and information services to farmers; technological development and market linkages; quality assurance and technical auditing; private sector institutional development, and programme management and monitoring.¹⁰⁴⁴ The NAADS Act provides demand-driven technologies that are responsive to farmer needs.¹⁰⁴⁵ Since the introduction of the NAADS Act, Ugandan farmers have received better service provision, such as visits from advisory agents, and also improved information and modern technologies, especially in crop and livestock

¹⁰⁴¹ UFNP paras 3.1.2–3.1.3.

¹⁰⁴² PMA para 4 (Executive Summary).

¹⁰⁴³ PMA para 4.5.

¹⁰⁴⁴ See *Semana Agricultural Extension Services at Crossroads: Present Dilemma and Possible Solutions for Future in Uganda* 6; see also PMA para 4.2.

¹⁰⁴⁵ PMA para 7.2 and AfranaaKwapong and Nkonya 2015 *JAERD* 123–124.

production.¹⁰⁴⁶ As a result, more households have adopted new crop enterprises since 2001.¹⁰⁴⁷

Despite its successes, the initial NAADS rollout was inefficient because private extension providers were administering it. This led to weakened extension linkages, due to lack of access to information and resource constraints.¹⁰⁴⁸ However, since 2008, public extension workers ("PEWs") have taken over from private extension officers.¹⁰⁴⁹ These PEWs use field technology development sites located on the farms of leading farmers to allow them to reach a wider range of farmers.¹⁰⁵⁰ The PEWs thus equip farmers with the necessary skills to increase their food production and establish a sustainable income base. Moreover, the NAP provides a list of objectives for transforming Uganda's subsistence agriculture into a commercial enterprise.¹⁰⁵¹ One objective¹⁰⁵² is to increase the incomes of farming households by providing agricultural training and skills development, and by disseminating appropriate, safe and cost-effective agricultural technologies and research services to enhance agricultural production, and by making advisory services available to all categories of farmers.

Subsistence farmers should be provided with an enabling environment to increase their food production by adopting technologies that will improve crop varieties.¹⁰⁵³ These technologies include labour-saving technologies, such as mechanised technologies.¹⁰⁵⁴ This entails adopting new strategies to ensure that farmers receive appropriate advisory services and information, such as selecting farming enterprises based on profitable, potential markets, the availability of

¹⁰⁴⁶ Benin et al 2007 *IFPRI Discussion Paper* 13–19.

¹⁰⁴⁷ Benin et al 2007 *IFPRI Discussion Paper* 21–25.

¹⁰⁴⁸ See Mubangizi, Mangheni and Garforth 2004 *Uganda Journal of Agricultural Sciences* 257–262.

¹⁰⁴⁹ AfranaaKwapong and Nkonya 2015 *JAERD* 123.

¹⁰⁵⁰ AfranaaKwapong and Nkonya 2015 *JAERD* 124–127.

¹⁰⁵¹ NAP paras 3.2.2–3.2.3.

¹⁰⁵² NAP para 3.2.3 (Objective 2).

¹⁰⁵³ Adong, Muhumuza and Mbowa 2014 *EPRC Policy Brief* 3; see also USAID *Moving from Subsistence to Commercial Farming in Uganda: Agricultural Productivity Enhancement Program Final Report* 17–19.

¹⁰⁵⁴ Programme 1 of the DSIP.

production inputs and infrastructure support.¹⁰⁵⁵ Different approaches to extension system provision are explored, such as the use of FFS and interactive communication, such as radio and mobile devices, which are used to disseminate extension knowledge and information.¹⁰⁵⁶ The availability of information and technologies enables farmers to choose whether to adopt them or not.¹⁰⁵⁷ This indicates that the use of farmer groups is a viable strategy for disseminating production and marketing information.

The Second National Development Plan 2015/16–2019/20 ("NDPII") advances four key areas to ensure that Uganda's agricultural sector is viable, including increasing production and productivity and improving agricultural markets.¹⁰⁵⁸ These four key areas include increasing sustainable production, productivity and value addition in key growth opportunities including. The objectives of the NDPII have been translated into Uganda's overall socio-economic development plan, Vision 2040. Uganda's Vision 2040 provides that the transformation of the agricultural sector from subsistence to commercial will require; reforming the extension system to increase information access to farmers, ensuring access to markets, reducing over-dependence on rain-fed agriculture, and improving the application of technology and innovations.¹⁰⁵⁹

This plan extends the objectives of the NDPII into implementable strategic objectives that underlie the transformation of subsistence agriculture in Uganda.

Such an approach to agricultural transformation is important since long-term food security interventions are meant to be sustainable in nature, ensuring individuals' physical well-being and economic security. This is consistent with the first MDG, which views food security as an important aspect in reducing socio-economic needs.¹⁰⁶⁰ Food security can be achieved only by adopting strategies

¹⁰⁵⁵ Component 1.2.1 of the DSIP.

¹⁰⁵⁶ Component 1.2.1 of the DSIP.

¹⁰⁵⁷ Shiferaw *et al* 2015 *Agricultural Economics* 1–2; see also Ferris, Engoru and Kaganzi 2008 *CAPRI Working Paper* 6–8.

¹⁰⁵⁸ NDPII para 6.2.

¹⁰⁵⁹ Uganda Vision 2040 paras 100–107.

¹⁰⁶⁰ See para 2.3.3 of this thesis.

and interventions that enhance households' access to regular food supplies and other socio-economic development needs.

From the above discussion, that the Ugandan government has come a long way in developing its agricultural sector. Unlike in Tanzania, the focus is not on using subsistence agriculture for self-sufficiency but on commercialising agriculture to ensure higher incomes in rural households. This is apparent from the manner in which the extension system is set out in the various legislative frameworks, especially the NAADS Act.

6.3.3 Approaches to extension services in Uganda

Uganda has made considerable progress in transforming its agricultural sector, but still faces several challenges; "lack of clarity about the agricultural service systems, low levels of commercialised agricultural production, the prevalence of subsistence agriculture, and poor access to agricultural markets".¹⁰⁶¹ These challenges affecting agricultural development in Uganda are also noted in the NAP.¹⁰⁶² To curtail these constraints (specifically the need to access extension services, agricultural markets and commercialisation of agricultural production), the government intends to use farmer organisations to provide extension service delivery and marketing strategies.¹⁰⁶³ Several studies indicate that the Ugandan government has made use of FFS, farmer-to-farmer extensions, farmer groups and ICTs in disseminating extension innovations and knowledge.¹⁰⁶⁴ This enables government to reach more farmers in its goal of ensuring food self-sufficiency and the commercialisation of agriculture.

¹⁰⁶¹ 2015–2019 Uganda Country Programming Framework para 2.3.1.

¹⁰⁶² NAP para 2.5.

¹⁰⁶³ NAP para 4.16; see also NAP para 3.2.3 (Objective 6).

¹⁰⁶⁴ See Mubangizi, Mangheni and Garforth 2004 *Uganda Journal of Agricultural Sciences* 257–264; Ferris, Engoru and Kaganzi 2008 *CAPRI Working Paper* 1–15; Ssemakula and Mutimba 2011 *SAJAE* 30–46; Adong, Mwaura and Okoboi *What Factors Determine Membership to Farmer Groups in Uganda? Evidence from the Uganda Census of Agriculture 2008/9* and Matuha *et al* 2016 *World Aquaculture* 39–44.

The discussion that follows looks at how the Ugandan government uses FFS, farmer groups and ICTs to provide extension services. The use of various methods to disseminate extension knowledge derives from the fact that the agricultural sector is now a pro-poor strategy for economic growth.¹⁰⁶⁵ This is vital because, as was revealed in chapter 5, the ineffective dissemination of extension knowledge and technologies is the main reason why subsistence agriculture is inefficient as a food security intervention in South Africa. Subsistence farmers are unable to access relevant extension services that have the potential to boost their farming practices.¹⁰⁶⁶ The use of a wide variety of sources to access extension knowledge could enable farmers to adopt new technologies and/or adapt their agroecological practices to be more productive.

The use of mobile phones and other ICTs not only reduces information costs for the rural poor in developing countries but also facilitates access to agricultural technologies.¹⁰⁶⁷ In Uganda, the use of mobile phones enables fish farmers to coordinate their marketing, obtain technical information from extension officers and mobilise group training for farmers.¹⁰⁶⁸ ICTs play an important role in commercialising agriculture in Uganda.¹⁰⁶⁹ Uganda has adapted the TES by introducing the farmer-to-farmer extension ("FFE") approach and the FFS approach. The benefits of such extension approaches (especially the FFE approach) include easy access to agricultural information and increased agricultural technology uptake, resulting in better production and food availability.¹⁰⁷⁰

The use of ICTs and other participatory methods of disseminating extension knowledge gives effect to the requirement of food availability as entrenched in international human rights instruments. General Comment 12 requires states to

¹⁰⁶⁵ Batchelor et al Is there a Role for Mobiles to Support Sustainable Agriculture in Africa? 271–272.

¹⁰⁶⁶ See paras 5.2.3.2, 5.3.1 and 5.4.1 of this thesis.

¹⁰⁶⁷ Aker Dial A for Agriculture 3.

¹⁰⁶⁸ Matuha et al 2016 World Aquaculture 41.

¹⁰⁶⁹ Kidd 2001 *ODI Working Paper* 45–50.

¹⁰⁷⁰ Ampaire et al The Role of Policy in Facilitating Adoption of Climate-Smart Agriculture in Uganda 41–44.

take measures aimed at improving food production, conservation and distribution, including the use of technical and scientific knowledge, which includes extension services.¹⁰⁷¹ Even at national level, states endeavour to use sustainable technologies that aim to improve food production.¹⁰⁷² However, these technologies need to be accessible to farmers, and ICTs provide a formidable avenue for disseminating such farming knowledge and technologies.

Kiptot et al¹⁰⁷³ illustrate the benefits of farmer-to-farmer extension in the form of voluntary farmer trainings ("VFTs"). VFTs are a type of farmer-to-farmer extension where farmer groups share extension knowledge.¹⁰⁷⁴ The reasons for joining such FFE groups include gaining knowledge and skills from others, earning income by training other farmers who are not part of the group, and meeting different people.¹⁰⁷⁵ In Uganda, the importance of forming farmer groups to disseminate extension knowledge is indicated in the NAADS Act. One objective of the NAADS Act is to promote farmer groups to develop capacity to manage farming enterprises.¹⁰⁷⁶

Farmer-to-farmer extension plays a critical role as an effective food security intervention because farmers share their farming experiences and knowledge at a horizontal level. This enables farmers to determine which farming practices and agricultural technologies are efficient for food production, which is important because the essence of extension services in subsistence agriculture is to ensure that the relevant needs of subsistence farmers, specifically their food security needs, are met.¹⁰⁷⁷ Extension services fall within the ambit of the broader concept of food sovereignty that places a duty on governments to empower subsistence farmers to produce their own food.

¹⁰⁷¹ See para 2.2.1 of this thesis.

¹⁰⁷² See para 3.5.3 of this thesis.

¹⁰⁷³ Kiptot et al 2016 *International Journal of Agricultural Sustainability* 1–16.

¹⁰⁷⁴ Kiptot et al 2016 *International Journal of Agricultural Sustainability* 3–4.

¹⁰⁷⁵ Kiptot et al 2016 *International Journal of Agricultural Sustainability* 9–13; see also Obaa, Mutimba and Semana 2005 *Overseas Development Institute* 6–7.

¹⁰⁷⁶ See sections 5 and 15–24 of the NAADS Act.

¹⁰⁷⁷ See paras 4.4.1 and 4.4.2 of this thesis.

As indicated above, the use of ICTs and FFS as new approaches to extension services presents an easy and inexpensive manner of transferring extension knowledge, but these approaches have their own challenges. In Uganda, the majority of smallholder farmers lack knowledge about how to use and operate ICTs, lack finances to use ICTs, and lack the infrastructure to access ICTs.¹⁰⁷⁸ Rural mobile users in Uganda have issues with network connectivity and electricity outages.¹⁰⁷⁹ Farmers lack awareness about which applications to use to access agricultural information. Therefore, farmers need to be trained to access relevant agricultural information.¹⁰⁸⁰ The failure to access accurate extension information affects the adoption of new technologies, which results in extension services being ineffective.¹⁰⁸¹ Without access to proper and current extension services, farmers are unable to implement productive farming practices. For instance, Mwaura *et al*¹⁰⁸² observe that one challenge that leads to the failure of the PMA and that could negatively affect the success of the DSIP is the lack of effective dissemination of agricultural technology.

For example, in South Africa, the good policies on agricultural transformation are inefficient due to poor implementation and the inability to disseminate agricultural information. Subsistence farmers and producers cannot access relevant extension knowledge. This results in poor farm yields and outdated agricultural technologies. In turn, household food insecurity continues to escalate, resulting in the government's effort to achieve the MDG being defeated.¹⁰⁸³

This discussion reveals that the modernisation of extension approaches has limitations, and that a combination of new extension approaches and the TES can promote sustainable agriculture in African countries. The provision of timely

¹⁰⁷⁸ Mirembe, Obaa and Ebanyat 2016 *African Journal of Rural Development* 15.

¹⁰⁷⁹ Matuha *et al* 2016 *World Aquaculture* 41–42.

¹⁰⁸⁰ Matuha *et al* 2016 *World Aquaculture* 42.

¹⁰⁸¹ Mwaura, Muwanika and Okoboi Willingness to Pay for Extension Services in Uganda among Farmers Involved in Crop and Animal Husbandry 3–4.

¹⁰⁸² Mwaura, Muwanika and Okoboi Willingness to Pay for Extension Services in Uganda among Farmers Involved in Crop and Animal Husbandry 4.

¹⁰⁸³ See paras 5.2.1, 5.2.2 and 5.2.3.1 of this thesis.

extension services forms part of the broader concept of sustainable livelihoods.¹⁰⁸⁴ In achieving sustainable livelihoods, governments are required to enact integrated and coordinated programmes that aim to enhance the farming skills of subsistence farmers.

6.3.3.1 Improving Uganda's extension system through ICTs

The discussion above indicates that using e-agriculture extension methods in conjunction with the TES is vital in transferring extension information and innovations to subsistence farmers. e-agriculture ensures that farmers in remote geographical areas can easily access agricultural information. In Uganda, weak extension services require subsistence farmers to supplement the TES with other information sources, such as radios, television and mobile devices.¹⁰⁸⁵ Farmers need relevant and timely farming advice and therefore use a variety of information sources.¹⁰⁸⁶ Farmers adopt technologies that they are exposed to through extension services, coupled with quality and reliable sources such as FFS, farmer-teachers and mass media.¹⁰⁸⁷ Bukenya¹⁰⁸⁸ indicates that in the Rakai district of Uganda farmers use mobile phones to share information about markets and to obtain extension advice from extension officers. ICTs such as radios and mobile phones provide the most reliable farmer–expert interactions in Africa.¹⁰⁸⁹

ICTs thus play a role in disseminating information on farming practices and agricultural productivity and are also used to share information on marketing skills and weather changes. Kidd¹⁰⁹⁰ observes that ICTs can be used to support rural development and agriculture by providing information on marketing skills. Gakuru, Winters and Stepman,¹⁰⁹¹ in ranking the information needs of farmers in

¹⁰⁸⁴ See para 3.5.2 of this thesis.

¹⁰⁸⁵ Oyo, Kaye and Nkalubo 2014 TSEST 40; see Birner et al 2009 *Journal of Agricultural Education and Extension* 346.

¹⁰⁸⁶ Anderson and Feder 2003 *Policy Researching Working Paper* 4.

¹⁰⁸⁷ Chepchirchir et al Impact Assessment of Push-Pull Technology on Incomes, Productivity and Poverty among Smallholder Households in Eastern Uganda 9.

¹⁰⁸⁸ Bukenya *The Mobile Phone* 2–3.

¹⁰⁸⁹ Davis, Tall and Guntuku 2014 *CCAFS Working Paper* 24–26; see also Carr, Tenywa and Balasubramanian 2015 *Journal of Learning for Development* 7–8.

¹⁰⁹⁰ Kidd 2001 *ODI Working Paper* 36–45.

¹⁰⁹¹ Gakuru, Winters and Stepman 2009 *IST-Africa Conference Proceedings* 8–9.

Africa, state that farmers need information on market and product prices, forecasts, transport facilities and storage facilities. Therefore, ICTs enable farmers in remote areas to keep up with trends in the agricultural sector. This explains the wide use of ICTs in providing farmer advisory services in Africa, including Uganda. In Uganda, rural radio (with a 68% listenership of farmers) is the main source of disseminating market information.¹⁰⁹² Mass media is also used to disseminate weather forecasts.¹⁰⁹³ The availability of climatic information is vital for subsistence farmers as it enables them to adapt their farming practices to be environmentally sustainable.¹⁰⁹⁴

Climatic changes have a negative impact on rural livelihoods, especially agricultural productivity.¹⁰⁹⁵ Hence, the availability of climatic information allows farmers to plan their future cropping and farming strategies.¹⁰⁹⁶ Taking into account the discussion above, it is clear that the use of a single extension system approach is insufficient in meeting the agricultural needs of subsistence farmers.

Uganda's efforts in using a variety of extension system approaches are commendable. This enables extension officers to ascertain which extension approach best suits the farmers' needs. Extension services thus become demand-driven and participatory in nature, allowing farmers to play a more active role in deciding which agricultural innovations to adopt. As a result, extension services not only assist farmers to increase food production but also empower farmers to be active participants within the rural development agenda.¹⁰⁹⁷

¹⁰⁹² Ferris, Engoru and Kaganzi 2008 *CAPRI Working Paper* 5–7.

¹⁰⁹³ See Orlove *et al* 2010 *Climatic Change* 247–260; see also Bomuhangi *et al* 2016 *Int. Res. J. Environ. Sci. Stud.* 15–16.

¹⁰⁹⁴ Ampaire *et al* The Role of Policy in Facilitating Adoption of Climate-Smart Agriculture in Uganda 79.

¹⁰⁹⁵ Osbahr *et al* 2011 *Expl Agric* 293–295.

¹⁰⁹⁶ Osbahr *et al* 2011 *Expl Agric* 313–314.

¹⁰⁹⁷ See paras 4.4.2.4 and 5.2.1 of this thesis.

6.3.3.2 Improving Uganda's extension system through farmer field schools and farmer groups

Although the use of mass media to disseminate extension knowledge provides an inexpensive approach to transferring farmer advisory services, it may be insufficient in certain instances.¹⁰⁹⁸ This limitation on ICTs is usually due to the type of advice that farmers demand.¹⁰⁹⁹ Birner *et al*¹¹⁰⁰ proposes that for extension systems to be effective, a combination of approaches should be used to transfer technologies and innovations. This enables farmers to identify the most appropriate extension system suitable to their needs. The use of the FFS approach and farmer groups assists in closing the gap that ICTs cannot fill, resulting in farmers having the knowledge that TES provides, but with a more practical approach.¹¹⁰¹ In addition, the FFS approach ensures accountability, in that the official trainers are often farmers who are members of the community.¹¹⁰² In Uganda, the FFS approach is part of a pluralistic agricultural advisory service that includes the FFE approach and farmer groups.¹¹⁰³ Davis *et al*¹¹⁰⁴ indicate that in Uganda research shows that the FFS approach has a great impact in increasing crop productivity, especially in female-headed households. The authors attribute this to the FFS approach being accessible to female farmers.¹¹⁰⁵

The FFS approach is part of a community-based extension, which means that farmers or communities contract extension service providers to deliver information and services that are specific to the demands of farmers.¹¹⁰⁶ This makes the FFS approach more acceptable to farmers because it enables them to

¹⁰⁹⁸ See para 6.3.3 of this thesis.

¹⁰⁹⁹ Feder *et al* 2010 *IFPRI Discussion Paper* 7–8; see also Mwaura, Muwanika and Okoboi *Willingness to Pay for Extension Services in Uganda among Farmers Involved in Crop and Animal Husbandry* 7–13.

¹¹⁰⁰ Birner *et al* 2009 *Journal of Agricultural Education and Extension* 346.

¹¹⁰¹ Friis-Hansen and Duveskog 2012 *World Development* 416.

¹¹⁰² Anderson and Feder 2003 Policy Researching Working Paper 20.

¹¹⁰³ See Davis 2008 *Journal of International Agricultural and Extension Education* 22 (for different approaches to extension services).

¹¹⁰⁴ Davis *et al* 2010 *IFPRI Discussion Paper* 16.

¹¹⁰⁵ Davis *et al* 2010 *IFPRI Discussion Paper* 16.

¹¹⁰⁶ Feder *et al* 2010 *IFPRI Discussion Paper* 2–10.

be proactive. As a result, in Uganda, farmer groups established under the NAADS Act have adopted the FFS approach, resulting in farmers adopting new farming technologies.¹¹⁰⁷

Erbaugh *et al*¹¹⁰⁸ reveal that the FFS approach is the driving force in adopting Integrated Pest Management ("IPM") strategies in cowpea farming in Uganda, especially among poor farmers. Mfitumukiza *et al*¹¹⁰⁹ indicate that the FFS approach is used to help farmers adapt their farming practices to be resilient to climatic change. Accordingly, farmers learn to use technologies such as mulching, kitchen gardens, seed multiplication, and the planting of drought tolerant crops to ensure good production even in drastic climate change conditions.¹¹¹⁰

The above studies reveal that the FFS approach is essential in technology development and dissemination, especially in subsistence farming.¹¹¹¹ However, despite the recorded successes of the FFS approach, it has its limitations. Several studies indicate that, in mobilising members and facilitators, there are some shortfalls, such as prejudice towards poor farmers and women, mobilising malleable farmers, and placing colleagues in leadership positions.¹¹¹² Other limitations include lack of accountability in the funding of FFS programmes, group disintegration, poor commitment and poor communication between members.¹¹¹³

As indicated above, in Uganda, the NAADS Act provides for the establishment of farmer groups.¹¹¹⁴ Several studies indicate that those who join farmer groups are

¹¹⁰⁷ Friis-Hansen, Aben and Kidoid 2004 *Uganda Journal of Agricultural Sciences* 252–255.

¹¹⁰⁸ Erbaugh *et al* 2010 *JIAEE* 13–16.

¹¹⁰⁹ Mfitumukiza *et al* 2016 *JAERD* 74–83.

¹¹¹⁰ Mfitumukiza *et al* 2016 *JAERD* 78–79.

¹¹¹¹ Anandajayasekeram, Davis and Workneh 2007 *JIAEE* 83–85; see Bonan and Pagani 2016 *Working Paper Series* 3–9 on a how a project on junior farmer field schools enables primary school children to accumulate agricultural knowledge that can be used in their households.

¹¹¹² Isubikalu 2007 *Research Report* 80–84.

¹¹¹³ Isubikalu 2007 *Research Report* 140–145; see also Quizon, Feder and Murgai 2001 *World Bank Working Paper* 1–19 on the fiscal sustainability of farmer field schools.

¹¹¹⁴ See art 5(c) of the NAADS Act.

mostly younger farmers and those with post-primary education.¹¹¹⁵ In addition, farmers with access to infrastructure, such as roads, markets and large farming plots, were likely to join farmer groups.¹¹¹⁶ The purpose of the NAADS groups is to provide effective and efficient farmer advisory services¹¹¹⁷ NAADS groups provide a useful platform for farmers and extension officers to interact and acquire knowledge on technology generation, enterprise development and market linkages.¹¹¹⁸ The greatest benefit of belonging to farmer groups is that farmers can easily access extension services and credit (funding) to conduct their farming activities. When the farmer group identifies technologies and advisory services, a grant is made available to establish a technology development site ("TDS").¹¹¹⁹ When the TDS starts yielding profits, the money is used as a revolving fund for group members.¹¹²⁰

Farmer groups also allow farmers to access relevant market information, such as current market prices, which variety of crops to plant, and the proper markets at which to sell produce.¹¹²¹ Farmer groups thus discharge the objectives of the NAADS Act, which are the commercialisation of farming in order to promote household food security and incomes and the promotion of farmer groups to develop the capacity to manage farming enterprises.¹¹²² The role of farmer groups is reflected in the DSIP, which provides that these groups are used for collective production and marketing.¹¹²³ At the same time, certain challenges affect farmer groups, including shortage of capital, lack of markets, lack of

¹¹¹⁵ Obaa, Mutimba and Semana 2005 *Overseas Development Institute* 7–8.

¹¹¹⁶ Adong, Mwaura and Okoboi What Factors Determine Membership to Farmer Groups in Uganda? Evidence from the Uganda Census of Agriculture 2008/9 8–9; see also Davis et al 2010 *IFPRI Discussion Paper* 11–12.

¹¹¹⁷ Obaa, Mutimba and Semana 2005 *Overseas Development Institute* 8–9.

¹¹¹⁸ Friis-Hansen, Aben and Kidoid 2004 *Uganda Journal of Agricultural Sciences* 251; see also Adong, Mwaura and Okoboi What Factors Determine Membership to Farmer Groups in Uganda? Evidence from the Uganda Census of Agriculture 2008/9 18–25; see further Mwaura 2014 *African Crop Science Journal* 918.

¹¹¹⁹ Benin et al 2011 *Agricultural Economics* 250.

¹¹²⁰ Benin et al 2011 *Agricultural Economics* 250–251.

¹¹²¹ Ferris, Engoru and Kaganzi 2008 *CAPRI Working Paper* 8–14.

¹¹²² See section 5(a) and (c); see also Benin et al 2007 *IFPRI Discussion Paper* 2; see further Adong, Muhumuza and Mbowa 2014 *EPRC Research Series* 2–17.

¹¹²³ DSIP para 2.5.

access to information and services, lack of adequate farmland, uncooperative members and unfavourable weather patterns.¹¹²⁴

6.3.3.3 Improving Uganda's extension system through farmer-to-farmer extension

Uganda also utilises the farmer-to-farmer extension ("FFE") approach. Briefly, the FFE system is an extension approach that consists of experienced and trained farmers sharing relevant farming technologies with other farmers.¹¹²⁵ Leading farmers are trained in production technologies, sustainable production and value addition.¹¹²⁶

The FFE approach is a great source of information for farmers, and is the second major source of agricultural information after the radio.¹¹²⁷ This approach is vital for those farmers outside the NAADS groups, with at least 45% of such farmers relying on the FFE to source information on crop varieties.¹¹²⁸ At the time of the study, "140,154 households received information on loans and credit access from other farmers".¹¹²⁹ Bonabana-Wabbi *et al*¹¹³⁰ observe that groundnut farmers in Eastern Uganda produced good yields as a result of accessing improved planting materials, such as chemical fertilisers, from other farmers instead of extension officers.

The social interaction associated with the FFE approach provides a useful platform for farmers to share ideas. Farmers moreover benefit from the horizontal relationship of having fellow farmers facilitating the training on

¹¹²⁴ Benin et al 2007 *IFPRI Discussion Paper* 12–13.

¹¹²⁵ Ssemakula and Mutimba 2011 *SAJAE* 33–34; see also Kiptot *et al* 2016 *International Journal of Agricultural Sustainability* 2–3.

¹¹²⁶ Ssemakula and Mutimba 2011 *SAJAE* 35; see also Franzel, Sinja and Simpson 2014 *ICRAF Working Paper* 23.

¹¹²⁷ Adong, Mwaura and Okoboi What Factors Determine Membership to Farmer Groups in Uganda? Evidence from the Uganda Census of Agriculture 2008/9 18–20.

¹¹²⁸ Adong, Mwaura and Okoboi What Factors Determine Membership to Farmer Groups in Uganda: Evidence from the Uganda Census of Agriculture 2008/9 20; see also Munyambonera et al 2014 *EPRC Research Series* 18.

¹¹²⁹ Munyambonera et al 2014 *EPRC Research Series* 19.

¹¹³⁰ Bonabana-Wabbi *et al* 2015 *JAERD* 253–255; see also Shiferaw *et al* 2015 *Agricultural Economics* 6–10 on how farmers obtain local seeds from other farmers.

technology development. This encourages farmers to be open and the lead farmers to be accountable and dedicated. As a complementary extension approach, the FFE approach plays a vital role in ensuring that the ordinary knowledge of farmers is not ignored.¹¹³¹

The overall importance of the FFE approach lies in the fact that farmers are encouraged by the achievements of other farmers. This helps farmers to understand the challenges that their farming practices present and to identify the relevant support services required to engage in profitable agricultural production. Farmers clearly assess the effectiveness of medium- to long-term food security interventions with reference to the support provided by the various agricultural policies and programmes.

6.4 The right to food and agricultural profile of Nigeria

6.4.1 Introduction

Nigeria is the third example used in this study to show the importance of providing farmer support services in subsistence farming in Africa. However, accessing legislative frameworks from Nigeria, especially those relating to agricultural transformation and food security, is difficult. The influence of the Constitution of the Federal Republic of Nigeria, 1999 and the Agricultural Promotion Policy 2016–2020 in advancing agricultural transformation and the right to adequate food in Nigeria are discussed.

According to the FAO, the priority areas to be addressed in Nigeria in transforming the agricultural sector

"are improving the national food and nutrition security; providing support in developing agricultural policy and a regulatory framework; increasing agricultural productivity and creating an enabling environment for increased

¹¹³¹ See Ssemakula and Mutimba 2011 *SAJAE* 32 for factors that constitute an effective extension model, with one of the components being the involvement of the beneficiaries in the process of technology generation and dissemination.

market access; promoting sustainable management of natural resources; and improving disaster risk reduction and emergency management".¹¹³²

These FAO priority areas are important because subsistence agriculture is an important livelihood in Africa, as sub-Saharan Africa's most impoverished households rely on subsistence farming to meet their daily food needs.¹¹³³ These places an obligation on government to make concerted efforts to ensure that such households achieve food security. Governments are called upon to enact policies that aim to increase food security by achieving sustainable agricultural transformation. One objective of the Agricultural Promotion Policy 2016–2020 ("APP") is to "facilitate the government's capacity to meet its obligations on food security, food safety and quality nutrition". The Constitution of Nigeria also provides "that the state shall direct its policy towards ensuring that suitable and adequate food is provided for all citizens".

This calls for the government to enact effective strategies to reduce food insecurity and to design social protection programmes.¹¹³⁴ One strategy involves improving agriculture in order to boost food production.¹¹³⁵ The Nigerian government endeavours to commercialise agriculture and to empower subsistence farmers through appropriate agricultural innovations. To achieve this, the government should adopt a twin-track approach, aimed at developing agri-business and supporting smallholder farmers.¹¹³⁶ Nigeria's APP is centred on three pillars namely; "the promotion of agricultural investment, financing agricultural development programmes, and research for agricultural innovation and productivity".¹¹³⁷

In relation to enhancing subsistence farming, the following needs are taken into account;

¹¹³² 2014 Country Profile Nigeria http://www.fao.org/nr/water/aquastat/countries_regions/NGA/.

¹¹³³ See paras 2.4.2 and 2.4.3 of this thesis.

¹¹³⁴ Ajayi et al *Scientific Papers Series* 19–23.

¹¹³⁵ Abu and Soom 2016 *International Journal of Food and Agricultural Economics* 155–156.

¹¹³⁶ Nwajiuba *Agriculture and Food Security* 47–48.

¹¹³⁷ APP para 4.2 (Vision and approach).

- (a) "the dissemination of information aimed at assisting farmers to make the best choices with respect to input costs, equipment leases, agronomic practices, crop prices and weather;
- (b) the provision of credit facilities to small-scale farmers; and
- (c) the promotion of agribusiness development, including promoting access to agro-processing through public intervention and the facilitation of private sector investment and access to markets".¹¹³⁸

Any agricultural transformation policy or strategy needs to ensure that the above focus areas are addressed in order to ensure that Nigeria's agricultural sector is viable. One crucial area that deserves special attention is the availability of credit to small-scale farmers. The provision of "credit to small-scale farmers in developing countries rests on the establishment of specialised agricultural credit institutions and the outreach of rural credit institutions, because credit institutions are usually not willing to provide loans to small-scale farmers".¹¹³⁹ This is the result of the repayment issues that arise when productivity is low, as a result of low yields.¹¹⁴⁰ The availability of credit to small-scale farmers is necessary for farming activities and enables them to expand their production.¹¹⁴¹

Nigeria needs proactive agricultural policies to revamp its agricultural sector. This is important because the secondary aim of subsistence agriculture is to increase a household's income. In many instances, subsistence agriculture as a food security intervention fails to fulfil this purpose, because subsistence farmers lack the necessary capacity to access funding and/or credit for their agricultural activities.¹¹⁴² This affects both the marketability and profitability of agriculture because poor farmers are unable to participate in local agricultural markets.¹¹⁴³

¹¹³⁸ APP paras 4.1.3, 4.18, 4.2.1 and 4.2.2; see also Kofarmata, Applanaidu and Hassan 2014 *Proceedings Book of ICETSR* 429–436 on the challenges preventing small-scale farmers from accessing credit facilities.

¹¹³⁹ Alabi, Lawal and Chiogor 2016 *Russian Journal of Agricultural and Socio-Economic Sciences* 59.

¹¹⁴⁰ Alabi, Lawal and Chiogor 2016 *Russian Journal of Agricultural and Socio-Economic Sciences* 59.

¹¹⁴¹ Kofarmata, Applanaidu and Hassan 2014 *Proceedings Book of ICETSR* 431–432.

¹¹⁴² See para 5.3.4 of this thesis.

¹¹⁴³ See paras 2.3.4 and 3.5.3 of this thesis.

The discussion that follows looks at how Nigeria's extension system supports farmers, especially subsistence farmers.

6.4.2 An analysis of pertinent agricultural policies in Nigeria

Due to the difficulty in accessing agricultural policies relating to agricultural transformation in Nigeria, existing secondary literature will be used. This should help to illustrate the measures taken by the Nigerian government to revive its subsistence agricultural sector to ensure that households, especially in rural areas, are food secure.

Nigeria has the potential to be self-sufficient in food production, especially by using mechanised technologies in subsistence farming.¹¹⁴⁴ Agricultural mechanisation presents several benefits, such as increasing farm yield quality leading to self-sufficiency, and reducing losses in crop handling, leading to the improved quality of food crops. Therefore, in a country like Nigeria, in order to adopt sustainable farming technologies, subsistence farmers need to be made aware of the relevance of farming technologies, including mechanised technologies. Involving farmers in technological research promotes technologies that are more suitable to farmer needs.¹¹⁴⁵ This addresses factors that prevent farmers from adopting new technologies, such as ignorance and lack of information.¹¹⁴⁶ Ademiluyi¹¹⁴⁷ observes that in the Plateau State of Nigeria, although maize is a staple product, its cultivation does not meet household food needs and the industrial needs of the country, due to the failure to adopt new technologies.

For this reason, extension is a vehicle for transferring appropriate and proven agricultural technologies to farmers, which enable them to increase their food production.¹¹⁴⁸ Another way of ensuring effective extension services is to address

¹¹⁴⁴ Abu and Soom 2016 *International Journal of Food and Agricultural Economics* 153–156.

¹¹⁴⁵ Apantaku, Oloruntoba and Fakoya 2003 *SAJAE* 47–49.

¹¹⁴⁶ Ekoja 2004 *SAJAE* 96–105; see also Ajayi and Okunlola 2005 *SAJAE* 182–183.

¹¹⁴⁷ Ademiluyi 2014 *International Journal of Innovative Agriculture and Biology Research* 26–31.

¹¹⁴⁸ Ajayi and Okunlola 2005 *SAJAE* 182.

extension worker shortages and the motivation of extension workers.¹¹⁴⁹ In addressing the importance of motivated extension agents, Odurukwe¹¹⁵⁰ states that the success of the training and visiting extension system is dependent on the commitment and loyalty of extension officers. This not only allows extension officers to perform their duties but also encourages them to employ innovative ideas in disseminating technologies.¹¹⁵¹ In order to improve access to agricultural knowledge, therefore, the APP provides that various extension methods, including more extension workers and electronic extension services, should be adopted.¹¹⁵²

This is vital because weak extension services make it difficult for subsistence farmers to access agricultural innovations and technologies, apart from those farmers who are members of cooperatives.¹¹⁵³ Therefore, the provision of proper extension services has been shown to increase the success of subsistence farming as a food security intervention. Households that have access to proper extension knowledge are more likely to engage in profitable farming activities and become more food secure.¹¹⁵⁴ Farmers who are exposed to modern agroecological practices are likely to satisfy the elements set out in General Comment 12.¹¹⁵⁵

Ajayi and Akinbamowo¹¹⁵⁶ state that Nigeria's agricultural policy aims to improve the production of food, adequate in quantity and quality to meet the population growth and to modernise agricultural production, processing, storage and distribution, using improved technologies and management. However, it is important to identify and address factors that hinder effective extension services. The APP provides that some of the constraints in agricultural information and knowledge are poor information exchange and delivery mechanisms for farmers.

¹¹⁴⁹ Ajayi and Banmeke 2006 *SAJAE* 189–190.

¹¹⁵⁰ Odurukwe 2005 *SAJAE* 249.

¹¹⁵¹ Odurukwe 2005 *SAJAE* 249.

¹¹⁵² APP para 4.1.3.

¹¹⁵³ Ademiluyi 2014 *International Journal of Innovative Agriculture and Biology Research* 32.

¹¹⁵⁴ See para 4.4.2.4 of this thesis.

¹¹⁵⁵ See para 2.3.4 of this thesis.

¹¹⁵⁶ Akinbamowo 2013 *JAERD* 146–147.

Izuogu and Atasienote the factors hampering agricultural transformation in Nigeria are: "the use of top-down, non-participatory and supply-driven extension approaches; the poor targeting of women, youths and vulnerable groups; the inadequate and poor quality of staff; and poor infrastructure".¹¹⁵⁷ Other factors include "lack of incentives, irregular in-service training, the attitude of men towards female farmers, and the educational level of the female extension agents".¹¹⁵⁸

6.4.3 Approaches to extension services in Nigeria

Paragraphs 6.4.1 and 6.4.2 indicated that Nigeria has a shortage of agricultural policy and regulatory frameworks. However, an in-depth analysis of the APP reveals that the Nigerian agricultural sector needs efficient extension systems and market-oriented agriculture. The literature reveals a fragmented extension system and a large population of subsistence farmers.¹¹⁵⁹ Some of the challenges that affect extension provision in Nigeria include:

- "Poor motivation and lack of encouragement of farmers to be involved in problem identification and prioritisation by researchers and extension officers;
- Unwillingness of researchers and extension agents to involve farmers in technology generation; and
- Lack of adequate knowledge of research and extension processes".¹¹⁶⁰

The role of ICTs and farmer field schools in disseminating agricultural technologies and innovations to farmers in Nigeria are discussed. It is important to understand the various methods of extension services adopted by researchers and farmers in Nigeria, because extension knowledge forms the very basis of promoting the realisation of the right to food through long-term food security interventions. Long-term food security interventions require households to be

¹¹⁵⁷ Izuogu and Atasi 2015 *Developing Country Studies* 12–13.

¹¹⁵⁸ Ajayi and Banmeke 2006 *SAJAE* 192–195.

¹¹⁵⁹ See para 6.4.2 of this thesis.

¹¹⁶⁰ Apantaku, Oloruntoba and Fakoya 2003 *SAJAE* 54.

empowered to define their food and agricultural systems as part of the broader concept of food sovereignty.¹¹⁶¹

6.4.3.1 Improving Nigeria's extension system through ICTs

In Nigeria, extension services have always been the responsibility of individual states. In 2013, the federal government created the Federal Department of Agricultural Extension ("FDAE").¹¹⁶² The purpose of the FDAE is to harmonise extension services through public extension, private extension and other funded extension systems.¹¹⁶³ In Nigeria, public extension is marred by a plethora of constraints, including poor access to agricultural inputs, lack of access to credit, and lack of up-to-date information on existing technologies.¹¹⁶⁴ Saliu, Ibrahim and Eniojukan¹¹⁶⁵ identify lack of awareness of improved technologies and extension services as hindering the adoption of technologies by small-scale farmers.

Innovative extension methods therefore need to be used to ensure that small-scale farmers in Nigeria are able to access adequate and timely extension information. In order to ensure agricultural transformation, developing countries must provide adequate, relevant and up-to-date information to farmers.¹¹⁶⁶ One way of ensuring that farmers access such information is through the use of ICTs, especially in farmer resource centres.¹¹⁶⁷ In the study by Banmeke and Ajayi¹¹⁶⁸ on the usefulness of ICTs, the pilot resource centre was equipped with information boards, computers for internet access, video presentations, televisions and radios. The results indicate that most respondents accessed information relating to harvesting time, methods and markets.¹¹⁶⁹

¹¹⁶¹ See para 2.5 of this thesis.

¹¹⁶² Oluwasusi and Akanni 2014 *Journal of Agricultural and Food Information* 325.

¹¹⁶³ Oluwasusi and Akanni 2014 *Journal of Agricultural and Food Information* 325–326.

¹¹⁶⁴ Oluwasusi and Akanni 2014 *Journal of Agricultural and Food Information* 326; see also Izuogu and Atasié 2015 *Developing Country Studies* 12–13.

¹¹⁶⁵ Saliu, Ibrahim and Eniojukan 2016 *Facta Universitatis Series* 229.

¹¹⁶⁶ Banmeke and Ajayi 2008 *IJAERD* 22–24.

¹¹⁶⁷ Banmeke and Ajayi 2008 *IJAERD* 23–26.

¹¹⁶⁸ Banmeke and Ajayi 2008 *IJAERD* 25–27.

¹¹⁶⁹ Banmeke and Ajayi 2008 *IJAERD* 26.

In discussing the importance of ICTs in extension services, Ofuoku and Agumagu¹¹⁷⁰ note that the use of mass media to disseminate information is educative, participatory and stimulates self-activity. Most respondents regarded the use of television, radio programmes and posters as the most effective means of transferring agricultural information.¹¹⁷¹ Mass media thus provides an easy way of transferring agricultural information to farmers and extension agents.

In Nigeria, some extension agents use information from newspapers in "agenda setting".¹¹⁷² Agenda setting refers "to the capacity of the mass media to influence the level of the public's awareness of certain issues".¹¹⁷³ Adeokun *et al*¹¹⁷⁴ observe that extension agents obtain vital information on agricultural technologies from newspapers and transfer it to farmers, thus using newspapers as a learning platform for agents and farmers. At the same time, other studies reveal that in order to curb the challenges that training and visiting extension systems present, mobile phones should be used to disseminate agricultural information.¹¹⁷⁵ This is possible in Nigeria, because the majority of rural dwellers, including farmers, are able to operate mobile devices and can read English and one of their local dialects.¹¹⁷⁶ This study indicates that 93.8% of the farmers in the study area were willing to receive agricultural information on mobile phones.¹¹⁷⁷

ICTs and related media are vital in extension services and can be used to obtain information, especially where there is a lack of extension personnel. As indicated, ICTs have their limitations, such as poor infrastructure and lack of maintenance of facilities.¹¹⁷⁸

¹¹⁷⁰ Ofuoku and Agumagu 2008 *Agricultura Tropica et Subtropica* 192–193.

¹¹⁷¹ Ofuoku and Agumagu 2008 *Agricultura Tropica et Subtropica* 194–196; see Banmeke and Olowu 2005 *SAJAE* 240–241; see further Olaniyi and Adewale 2014 *Journal of Agricultural Extension* 27–32.

¹¹⁷² Adeokun *et al* 2005 *SAJAE* 222–225.

¹¹⁷³ Adeokun *et al* 2005 *SAJAE* 222.

¹¹⁷⁴ Adeokun *et al* 2005 *SAJAE* 222–234.

¹¹⁷⁵ Fasina and Odefadehan 2014 *SAJAE* 1–14.

¹¹⁷⁶ Fasina and Odefadehan 2014 *SAJAE* 6–7.

¹¹⁷⁷ Fasina and Odefadehan 2014 *SAJAE* 10–11.

¹¹⁷⁸ Banmeke and Ajayi 2008 *IJAERD* 27–28.

6.4.3.2 Improving Nigeria's extension system through farmer field schools and private extension services

The importance of farmer field schools in general as a complementary extension approach has been discussed in detail above.¹¹⁷⁹ One key element of the FFS approach is that it is participatory in nature and allows for a client-driven strategy.¹¹⁸⁰ Farmers' knowledge, needs, criteria and preferences are considered in decisions regarding technical innovation.¹¹⁸¹ As a result, the FFS approach is a vehicle for demand-driven extension services. Demand-driven extension services enable farmers to appreciate such services and provide farmers with a way to invest their resources, such as time and money to obtain such services.¹¹⁸² The principles of demand-driven extension services include;

- "Decentralisation of extension services;
- Changing the role of the extension agent from adviser or teacher to facilitator;
- Improving farmers' power;
- Control over the provision of extension services; and
- Helping small-scale farmers to link with market opportunities and contracting out of services".¹¹⁸³

The FFS approach emphasises principles that build farmer knowledge, such as adult learning principles; "equal partnerships between extension providers, farmers and researchers; the farmers' ability to learn through experimentation to become experts; the farmers' ability to adopt and develop appropriate technology; and interaction between farmers".¹¹⁸⁴ This approach borders on the notion of adult-farmer education. Adult-farmer education is based on the premise that extension services should be provided in a manner that changes the knowledge, attitude and skills of farmers, leading to the adoption of improved

¹¹⁷⁹ See paras 6.2.3.2 and 6.3.3.2 of this thesis.

¹¹⁸⁰ Apantaku, Oloruntoba and Fakoya 2003 *SAJAE* 49.

¹¹⁸¹ Apantaku, Oloruntoba and Fakoya 2003 *SAJAE* 49–54.

¹¹⁸² Umar 2015 *Ethiopian Journal of Environmental Studies and Management* 792–793.

¹¹⁸³ Umar 2015 *Ethiopian Journal of Environmental Studies and Management* 792–793.

¹¹⁸⁴ Ebewore 2013 *Journal of Biology, Agriculture and Healthcare* 13.

agricultural production.¹¹⁸⁵ Ebewore, Egho and Enujeke¹¹⁸⁶ reveal the role of FFS in enabling farmers to adopt new technologies in a study about preventing cocoa mirids. According to the study, about 65 farmers out of 68 who participated in FFS indicated that they had learnt new technologies for controlling mirids.¹¹⁸⁷ The FFS approach has the potential to create an enabling environment that provides farmers with the opportunity to take ownership of technology generation in agricultural production and to advance their technical and ordinary farming knowledge.

In addition to the FFS approach, Nigeria uses private extensions due to the poor public extension system.¹¹⁸⁸ Davis¹¹⁸⁹ notes that the private sector usually provides supply-driven extension services alongside many sub-Saharan governments. Adebayo¹¹⁹⁰ observes that the private sector plays an important role in disseminating agricultural information and advice, especially where it is in demand.

Insufficient access to extension services and innovations leads to agriculture being inefficient, because extension services provide an enabling platform that allows farmers to increase their production. Chapter 5 showed that a lack of farming skills leads to poor crop yields and renders households' food insecure. This affects the potential of subsistence farming as a food security intervention and defeats the two main elements of the right to food, namely availability and accessibility.¹¹⁹¹ Addressing the factors that negatively affect the delivery of extension services in Nigeria can lead to transformed agricultural sector for millions of Nigerians.

¹¹⁸⁵ Donye and Ani 2014 *American Journal of Social and Management Sciences* 15–16.

¹¹⁸⁶ Ebewore, Egho and Enujeke 2013 *Asian Journal of Agricultural Sciences* 6–7; see also Ebewore

2013 *Asian Journal of Agricultural Sciences* 77–80 on the effects that the FFS approach has on improving household incomes and crop yields, improving agro-ecosystem management, and safe and responsible labour practices of farmers, among others.

¹¹⁸⁷ Ebewore, Egho and Enujeke 2013 *Asian Journal of Agricultural Sciences* 9.

¹¹⁸⁸ See Ladele and Kuponiyi 2006 *SAJAE* 24–25.

¹¹⁸⁹ Davis 2008 *Journal of International Agricultural and Extension Education* 16–20.

¹¹⁹⁰ Adebayo Private Sector Participation in Agricultural Extension Services in Nigeria 8–9.

¹¹⁹¹ See paras 2.2.1 and 2.2.2 of this thesis.

6.5 Lessons for South Africa: Reviving extension knowledge for subsistence farming

Paragraph 4.4.3 discussed the role of agricultural extension services as support systems for subsistence farmers in South Africa. The literature reveals that extension systems should be demand-driven and participatory to enable farmers to adopt sustainable agricultural practices and technologies.¹¹⁹² The significance of agricultural support systems in subsistence farming is that long-term food security interventions require both extension officers and farmers to possess the necessary farming skills to engage in profitable production, because subsistence farming is a viable strategy for providing adequate and nutritious food for poor households and for ensuring economic security.¹¹⁹³ Subsistence farming is the foundation of food sovereignty, which is the driving concept for using agriculture to ensure food security.

Hence, a good extension system not only promotes long-term food security interventions, but is the foundation for realising the right to have access to food as entrenched in international, regional and national food conventions and policies.¹¹⁹⁴ Effective extension systems enable households to be active participants in food security interventions and empower them to be self-reliant by producing their own food. This is consistent with section 27(2) of the *Constitution*, which requires the government to create an environment conducive to realising the right to have access to food, within its available resources.

Paragraphs 5.3.3 and 5.4 identify some of the constraints that negatively affect the productivity of subsistence farming. These include lack of proper infrastructure, lack of knowledge of marketing skills, lack of government support and lack of market access. The government's failure to adequately address the constraints, especially those relating to access to agricultural information and innovations and the marketability of subsistence produce, hampers the realisation of the right to food. The government cannot achieve its mandate to

¹¹⁹² See paras 4.4.2.3 and 4.4.2.4 of this thesis.

¹¹⁹³ See para 2.3.4 of this thesis.

¹¹⁹⁴ See paras 2.1 and 2.4.2 of this thesis.

protect, promote and fulfil the right to have access to food through medium- and long-term food security interventions if the two main purposes of subsistence farming, namely supplementing a household's food supply and providing an extra source of income are not achieved.¹¹⁹⁵ Furthermore, the absence of a pluralistic extension system means that the objective of the Norms and Standards for Extension and Advisory Services in Agriculture of 2005 ("Extension Norms and Standards") to provide advisory services through the internet and community centres to make information available to clients, especially subsistence farmers, is futile.

The use of ICTs in disseminating agricultural knowledge and information is inefficient,¹¹⁹⁶ and if this objective is ever realised it would favour commercial farmers, who mostly use their mobile devices for weather forecasts, productivity type applications, news and financial information.¹¹⁹⁷ South Africa's subsistence agricultural sector clearly needs a robust extension system for it to grow and become commercialised.

Taking into account the discussion of how Tanzania, Uganda and Nigeria have attempted to transform their subsistence agricultural sectors into commercial sectors, new policies are needed for the use of information technology, FFS and farmer groups in disseminating agricultural innovations. Furthermore, the absence of organised formal subsistence farmer groups makes it difficult for farmers to share information. Most importantly, mass media should be used provide agricultural information and technologies to subsistence farmers. Since a majority of South Africans have access to mobile devices and the internet, even in rural areas, the government should follow the examples set by Tanzania and Uganda in using mass media to disseminate farming information.¹¹⁹⁸

Moreover, more extension officers should be trained in the use of complementary extension approaches, such as FFS and FFE. South Africa has many institutions

¹¹⁹⁵ See para 4.4 of this thesis.

¹¹⁹⁶ Liebenberg 2015 *Discussion Paper* 15–16.

¹¹⁹⁷ Simpson and Calitz 2014 *SAJAE* 104–106.

¹¹⁹⁸ GHS (2015) 54–56.

of higher learning that can be used for this purpose, and this can be an ongoing process that ensures that academics, researchers and extension officers collaborate to develop new extension approaches that give adequate effect to the overall objectives of the Extension Norms and Standards. These objectives include:

- "Improving the efficiency, relevance and cost-effectiveness of publicly funded agricultural extension and advisory services;
- Promoting a participatory approach to agricultural extension and advisory services, and recognising all participants in the provision of agricultural services; and
- Promoting and implementing the value chain approach to ensure holistic support services".¹¹⁹⁹

6.6 Conclusion

This chapter used a comparative analysis to determine the importance of providing agricultural support in the form of extension services to subsistence farmers. An analysis of agricultural legislative frameworks and literature from Tanzania, Uganda and Nigeria showed how the respective governments support subsistence agriculture. The three countries have similar approaches to disseminating extension knowledge, technologies and innovations. These approaches combine the TES and complementary approaches such as FFS, FFE and farmer groups. These countries adopt a pluralistic approach to extension provision. Tanzania and Uganda have progressive policies that promote agricultural transformation, specifically Vision 2025 and Vision 2040. The importance of these policies lies in the fact that agricultural transformation is seen as an invaluable asset in Tanzania's and Uganda's development agendas. Hence, the two governments strive to ensure that subsistence agriculture grows from being a resource reserved for household food security and a source of extra food. Subsistence agriculture is seen as an intervention that will move

¹¹⁹⁹ Extension Norms and Standards para 3.

households out of the poverty trap and that can be used as an income source for rural households.

In addition, the use of information technology, mass media and FFS and farmer groups to equip subsistence farmers with marketing skills and sustainable farming practices that are aimed at increasing farm yields is important. This enables farmers to share their skills with other farmers, thereby ensuring that more farmers are empowered. Households move out of the poverty trap and contribute to economic growth and eventually the right to have access to food is achieved. Considering this advancement in extension provision, it is recommended that the South African government promulgates legislative and other measures to ensure that information technology and mass media are used efficiently to disseminate agricultural information. Improving extension services not only ensures food security but also leads to socio-economic development. The right to have access to sufficient food is viewed not only as an entitlement entrenched in policies but as a livelihood resource that caters for the social and physical well-being of the rural poor.

Chapter 7 Conclusion and recommendations

7 Summary of the thesis

7.1 Introduction

This thesis set out to investigate whether the South African government, using short-term and long-term measures designed to realise the constitutionally entrenched right of access to sufficient food in section 27(1)(b) of the *Constitution*, was complying with and fulfilling its national, regional and international commitments and obligations to ensure food security for rural households. The thesis showed that the right to have access to sufficient food is at the heart of social development and is integral to the advancement of human development, especially achieving food security. The thesis also revealed that the right to food is more than an abstract right entrenched in legislative frameworks, but is a livelihood resource that requires the government to provide a viable strategy that will meet both individuals' and households' food demands. This chapter summarises the most important findings of the previous chapters and makes recommendations for promoting and realising the right to have access to sufficient food within the broader framework of human development.

7.2 The right to food at the international and regional levels

This thesis started by examining the right to food as it prevails in international and regional law within the context of the broader human rights framework.¹²⁰⁰ This approach indicated the importance of the interdependence of rights when dealing with socio-economic rights, including the right to food. This obliges the government in discharging its duties to also address factors that may hamper the realisation of the right to have access to food.¹²⁰¹ These factors include economic, political and cultural contexts, access to land, employment opportunities, technological advancement, poverty, and educational

¹²⁰⁰ Paras 2.1–2.2 of this thesis.

¹²⁰¹ Para 2.2 of this thesis.

opportunities.¹²⁰² The government must take account of human rights instruments that aim to promote socio-economic development, such as the Copenhagen Declaration on Social Development, the Millennium Declaration and the Rome Declarations in devising strategies that promote access to sufficient food.¹²⁰³

These human rights instruments are vital because they provide guidelines in terms of which the right to food is realised in a holistic manner, by taking into account the effect of poverty in perpetuating lack of access to food.¹²⁰⁴ Furthermore, the Copenhagen Programme of Action emphasises the fact that absolute poverty is characterised by a deprivation of basic amenities, including food.¹²⁰⁵ Social development is therefore an important aspect of poverty alleviation. Hence, anti-poverty programmes should be viewed in the light of social development programmes.¹²⁰⁶ The Copenhagen Programme of Action provides that the eradication of poverty requires universal access to economic opportunities aimed at promoting sustainable livelihoods.¹²⁰⁷ Food insecurity can be reduced within the broader framework of development that allows individuals to claim their rights.¹²⁰⁸ The concept of development allows for the empowerment of individuals. Consequently, people living in poverty have rights that give rise to obligations on the part of the government.¹²⁰⁹ The achievement of food security thus requires an integration of civil and socio-economic rights.¹²¹⁰

In providing a platform that advances the right to food, therefore, the Copenhagen Declaration, the Millennium Declaration and the 2030 Agenda require governments to adopt strategies that promote good governance.¹²¹¹

¹²⁰² Para 2.3.2 of this thesis.

¹²⁰³ Paras 2.3.2–2.3.4 of this thesis.

¹²⁰⁴ Paras 1.3 and 2.3.2 of this thesis.

¹²⁰⁵ Para 2.3.2 of this thesis.

¹²⁰⁶ Para 2.3.2 of this thesis.

¹²⁰⁷ Para 2.3.2 of this thesis.

¹²⁰⁸ Para 2.3.2 of this thesis.

¹²⁰⁹ Para 2.3.2 of this thesis.

¹²¹⁰ Para 2.3.2 of this thesis.

¹²¹¹ Paras 2.3.2–2.3.3 of this thesis.

Good governance enables individuals and communities to claim their socio-economic entitlements and also allows for the institutionalisation of policies on socio-economic rights.¹²¹² In turn, government must ensure that food security interventions are realistic and efficient. The Rome Declaration of 1996 is important because it formally defined the concept of "food security".¹²¹³ The government can now measure their efforts in realising the right to food. Looking at the elements of food security, we can gauge whether a household is food secure.¹²¹⁴

Moreover, legislative frameworks aimed at realising the right to food can be geared towards ensuring that the strategies contained therein have the potential to meet the standards set out in the Rome Declaration. The Rome Declaration of 1996 also led to the formation of a vital concept in the realisation of the right to food, namely "food sovereignty".¹²¹⁵ In short, food sovereignty promotes the realisation of food through agrarian technologies acceptable to the culture of households.¹²¹⁶ This brings another dimension to food security strategies, which is agricultural transformation. Paragraph 26 of the Rome Declaration of 2009 provides that in order to meet increasing food demands, governments should promote agricultural productivity.¹²¹⁷

African governments have heeded the principles of the Rome Declarations of 1996 and 2009. A principal regional instrument dealing with the promotion of the right to food in Africa, the CAADP aims to promote agriculture as a food security strategy.¹²¹⁸ This comes as no surprise, since Africa is home to the most impoverished households in the world, despite having a vast population that engages in farming to meet food demands.¹²¹⁹ In addition, other regional instruments, such as the Maputo Declaration, the Abuja Declaration, the Dar-es-

¹²¹² Para 2.3.3 of this thesis.

¹²¹³ Para 2.3.4 of this thesis.

¹²¹⁴ Para 2.2 of this thesis.

¹²¹⁵ Para 2.3.3 of this thesis

¹²¹⁶ Paras 2.3.4 and 5.2.1 of this thesis.

¹²¹⁷ Para 2.3.4 of this thesis.

¹²¹⁸ Para 2.4.2 of this thesis.

¹²¹⁹ Table 1-1 and para 2.4.2 of this thesis.

Salaam Declaration and the Mauritius Declaration, all complement the CAADP and seek to ensure that African governments use agricultural development and production as stepping-stones to achieving food security.¹²²⁰ The Mauritius Declaration further calls for the enactment of social protection strategies, in line with the SADC Code of Social Security and the SADC Charter.¹²²¹ The Mauritius Declaration ensures that the immediate food needs of individuals and households are met. This presupposes that chronic food insecurity should be minimised.

Finally, the thesis showed that the international and regional legal frameworks on the right to food have greatly shaped South Africa's approach to tackling food insecurity. The South African government has over the years adopted both social grants and subsistence farming as food security interventions. This is apparent from the policies that promote the right to have access to food, such as the IFSS, the Food Security Policy, the CRDP and the ISRDP, among others.¹²²² The Food Security Policy adopts the definition of food security set out in the Rome Declaration of 1996.¹²²³ The IFSS affirms the role of international human rights instruments, such as the 2030 Agenda, the Millennium Declaration, the Rome Declaration of 2009 and the SADC policies in advancing the right to food and in providing a guide on the enactment of food security strategies.¹²²⁴ The CRDP, the ISRDS and the MTSF lean towards agricultural transformation as a viable strategy in ensuring that households become food self-reliant.¹²²⁵

7.3 The right to have access to sufficient food in South Africa and food security interventions

Section 27(2) of the *Constitution* provides that the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights. This entails that the right of access to have access to food should be realised within the same parameters like

¹²²⁰ Paras 2.4.3, 2.4.3.1 and 2.4.3.2 of this thesis.

¹²²¹ Para 2.4.3.2 of this thesis.

¹²²² Paras 2.5 and 3.5 of this thesis.

¹²²³ Para 3.5 of this thesis.

¹²²⁴ Para 2.5 of this thesis..

¹²²⁵ Para 2.5 of this thesis.

allqualified socio-economic rights.¹²²⁶ To this end, the reasonable approach should be adopted in realising the right to food.¹²²⁷ Legislative frame works giving effect to the right of access to have sufficient food should be appropriate and reasonable in light of the Constitutional Court's decision in the *Mazibuko* and *Grootboom* cases.¹²²⁸ Food security interventions are regarded an important factor in realising the right to have access to food, and the government must adopt reasonable legislative and other measures to promote and protect the right to have access to food.¹²²⁹ Government policies must be all-encompassing and holistic in approach, by aiming not only to promote socio-economic rights but also to counter threats that affect the realisation of such rights. Chapter 3 showed that poverty is a major cause of household food insecurity and has a direct impact on the realisation of the right to food.¹²³⁰ The factors that lead to poverty are multidimensional and include general causes that occur in all countries, such as economic and trading conditions, poor governance, conflicts, illiteracy and diseases.¹²³¹

These general causes of poverty require government policies to reflect a vivid human rights protection stance that enables citizens to lay claim to their entitlements. Government policies should be geared towards the advancement of human rights rather than being restrictive. For instance, countries that have human rights-centred legislative frameworks in place are more likely to establish a favourable environment for realising socio-economic rights.¹²³² In addition, such countries are more likely to implement efficient food security interventions.¹²³³

Country-specific causes of poverty are factors that are common to a particular country. For example, in South Africa, the major causes of poverty relate to the

¹²²⁶ Paras 3.4.2-3.4.5 of this thesis.

¹²²⁷ Para 3.4.5 of this thesis.

¹²²⁸ Paras 3.4.5, 3.4.5.1 and 3.4.5.2 of this thesis.

¹²²⁹ Para 3.1 of this thesis.

¹²³⁰ Para 3.2 of this thesis.

¹²³¹ Paras 3.3.1.1-3.3.1.4 of this thesis.

¹²³² Para 3.3.1.2 of this thesis.

¹²³³ Paras 3.5.1-3.3.4, 6.2.2 and 6.3.2 of this thesis.

discriminatory policies that existed before democracy, the geographical location of households, unemployment and inequality.¹²³⁴ These factors have led to socio-economic disparities that have resulted in some settlements, especially rural households, living with chronic food insecurity.¹²³⁵ Furthermore, female-headed households are considered the most impoverished due to women's lack of access to employment and education, and gender inequality.¹²³⁶ This calls for food security interventions that take account of South Africa's unique socio-economic conditions.

As a result, it is not surprising that, in realising the right to have access to sufficient food, the government has adopted legislative frameworks that reflect a human rights approach. As a starting point, South Africa's foremost guiding policy on socio-economic development, the RDP, adopts a holistic approach that strives to improve the quality of life of all citizens.¹²³⁷ In relation to food security, the RDP reflects a two-pronged approach that encompasses social assistance and agricultural development. In providing for social assistance grants for all, the RDP advocates for a functional and non-discriminatory social welfare system¹²³⁸. This resulted in the White Paper on Social Welfare, which provides for appropriate developmental social welfare services to all South Africans, especially those living in poverty, those who are vulnerable and those who have special needs.¹²³⁹

Most notable is the provision of social assistance in the form of social grants to meet the immediate food requirements of the poorest households.¹²⁴⁰ Hence, the *Social Assistance Act* was enacted to administer the provision of social grants in South Africa.¹²⁴¹ These grants include child grants, old-age grants (OAG), foster grants, care dependence grants, disability grants, war veteran's grants and

¹²³⁴ Para 3.3.2 of this thesis.

¹²³⁵ Tables 2 and 3 of this thesis.

¹²³⁶ Para 3.3.2.1 of this thesis; see further tables 4, 5 and 6 of this thesis.

¹²³⁷ Para 3.5.1 of this thesis.

¹²³⁸ Para 3.5.1 of this thesis.

¹²³⁹ Para 3.5.1 of this thesis.

¹²⁴⁰ Para 4.3.4 of this thesis.

¹²⁴¹ Para 3.5.4 of this thesis.

grants-in-aid.¹²⁴² These grants all serve a common purpose, namely to reduce food insecurity and to provide immediate income relief for poverty-stricken households.¹²⁴³ The importance of social grants was noted in *Black Sash Trust v Minister of Social Development*, in which the court held that social grants enable individuals, especially the elderly and children, to live dignified lives.¹²⁴⁴ This case illustrates the fact that social grants are an important short-term food security intervention and play an integral role in human development.

In the long term, in order for households to become self-reliant in achieving food security, the RDP advocated for land and agricultural reform.¹²⁴⁵ This led to the promulgation of legislative frameworks that foster agricultural transformation, such as the CRDP, the ISRDS, the IFSS and the MTSF.¹²⁴⁶ The IFSS advocates a developmental approach to reducing food insecurity, by adopting a two-pronged approach that encompasses interceptive and empowerment interventions.¹²⁴⁷ Interceptive measures are meant to meet short-term food security needs,¹²⁴⁸ while empowerment measures intend to meet long-term food security needs, especially where households are able to access production resources on their own.¹²⁴⁹ This allows food security interventions to cater for the various household food needs by ensuring that immediate food demands are met immediately and that future food needs are addressed. The IFSS approach is consistent with the approach that is set out in the Rome Declaration of 2009, which provides for short-term and long-term food security interventions.¹²⁵⁰

To complement the IFSS, the CRDP and the ISRDS intend to promote land-based livelihoods and rural development. The CRDP aims to promote agrarian transformation, rural development and land reform,¹²⁵¹ which are vital in

¹²⁴² Para 3.5.4, 4.3.5 and 4.3.6 of this thesis.

¹²⁴³ Para 4.3.7 of this thesis.

¹²⁴⁴ Para 4.3.7 of this thesis.

¹²⁴⁵ Para 3.5.2 of this thesis.

¹²⁴⁶ Paras 3.5.2 and 3.5.3 of this thesis.

¹²⁴⁷ Para 3.5.3 of this thesis.

¹²⁴⁸ Para 3.5.3 of this thesis.

¹²⁴⁹ Para 3.5.3 of this thesis.

¹²⁵⁰ Paras 1.3 and 2.5 of this thesis.

¹²⁵¹ Para 3.5.3 of this thesis.

promoting rural livelihoods.¹²⁵² Land reform is an important factor in ensuring that agrarian transformation is effective, as it ensures that land is made available for farming purposes.¹²⁵³ Since land-based livelihoods require households to have access to land, land availability is vital. It was shown that for rural households' farm sizes, access to water and the literacy levels of the household head determine a household's welfare.¹²⁵⁴ Farm sizes are crucial in ensuring food access and availability in rural households, because smaller farm sizes usually produce smaller yields.¹²⁵⁵ This therefore calls for the government to enact land distribution policies that enable subsistence farmers to have access to arable land, which plays an important role in rural areas, especially in the absence of off-farm opportunities. The welfare of rural households is shaped by a variety of factors, including land-based livelihoods, linkages to urban areas and informal economic activities.¹²⁵⁶

It was further shown that, in South Africa, agrarian transformation is but one aspect of food security strategies within the broader framework of rural development.¹²⁵⁷ Rural development encompasses both on-farm and off-farm opportunities for rural households. This is important when we consider the fact that most rural households supplement land-based livelihoods with off-farm activities. It was shown that rural households that do not have access to off-farm activities often rely on social grants.¹²⁵⁸ This calls for the government to enact rural development programmes that can effectively enhance access to off-farm opportunities, including infrastructural development to enable subsistence farmers to enter markets. To this end, the ISRDS promotes sustainable livelihoods.¹²⁵⁹ The government should take measures to increase household food production and trading, improve income generation and job creation

¹²⁵² Para 3.5.3 of this thesis.

¹²⁵³ Para 3.5.3 and 5.4.2 of this thesis.

¹²⁵⁴ Para 3.5.3 of this thesis.

¹²⁵⁵ Paras 3.5.3, 5.3.3 and table 11-1 of this thesis.

¹²⁵⁶ Para 3.5.3 of this thesis.

¹²⁵⁷ Paras 3.5.3 and 3.5.4 of this thesis.

¹²⁵⁸ Paras 4.3.4, 4.3.7, 3.5.3 and 3.3.2.2 of this thesis.

¹²⁵⁹ Para 3.5.4 of this thesis.

opportunities, improve nutrition and food safety, and increase safety nets and food emergency management systems.¹²⁶⁰

To promote the objectives of the CRDP – ISRDS the government enacted programmes such as the CASP, Fetsa Tlala, Ilima/Letsema, the NDP and the APAP, which arguably promote subsistence farming or household production as a means of achieving food security for rural households.¹²⁶¹ The goal of these policies and programmes is to empower rural households to be food self-sufficient, by affording such households access to agricultural grants and extension services. By so doing, the government sought to comply with its commitments as set out in the various international¹²⁶² and regional instruments¹²⁶³ that promote agricultural transformation as a viable strategy for reducing food insecurity and lack of access to food. By adopting such policies and programmes, the government is progressively complying with section 27(2) of the *Constitution*.

This brings in the relevance of the *Grootboom* and *Mazibuko* cases, which provide the guidelines that, should be complied with in realising socio-economic rights.¹²⁶⁴ The *Grootboom* case outlined an ideal manner in which a programme or policy can meet the requirements of being reasonable.¹²⁶⁵ This is essential in considering that long-term food security interventions require more than an existing legislative framework; such a framework should be implementable. The *Mazibuko* case outlined a typical short-term intervention that requires immediate implementation. The implication of these cases is that government policies should be clear, coordinated and implementable. Government policies should be transparent and should hold the government accountable for carrying out their objectives. In relation to the right to have access to food, the constitutional entrenchment of this right enables individuals and households to claim its

¹²⁶⁰ Para 3.5.4 of this thesis.

¹²⁶¹ Paras 5.2.3.1, 5.2.3.2 and 5.2.3.3 of this thesis.

¹²⁶² Paras 5.2.1.1, 5.2.1.2 and 5.2.1.3 of this thesis.

¹²⁶³ Paras 5.2.2.1 and 5.2.2.2 of this thesis.

¹²⁶⁴ Para 3.4.4.2 of this thesis.

¹²⁶⁵ See *Grootboom* para 38-46.

realisation. Chapter 3 set the tone for the subsequent chapters and advanced the need to ensure that food security interventions are adapted to the prevailing conditions of individual households and seek to address both immediate and future food demands.

7.4 Short-term and long-term food security strategies in South Africa

Chapter 4 provided a detailed analysis of the existing short-term and long-term food security interventions, namely social grants and subsistence farming. This chapter discussed the role of these strategies in promoting food security in rural households. It was shown that strategies play a vital role in providing access to food and income for poverty-stricken households and that subsistence farming provides an extra food source and enables households to enjoy food that meets their cultural and dietary needs.¹²⁶⁶ This chapter considered the evolution of the social security system by discussing the US social welfare system.¹²⁶⁷ This was done to show the importance of social protection in reducing food insecurity that result from a lack of income. In the US system, social assistance that falls under social security is for a limited period. The TANF programme aims to provide social welfare relief to needy families as a stepping-stone to gaining employment within 5 years of eligibility.¹²⁶⁸ These stringent conditions may minimise the effectiveness of social assistance in enhancing food security. On the other hand, they may encourage self-sufficiency by eliminating dependence on social grants.

The chapter showed that, in South Africa, social assistance that falls under social security (encompassing both social insurance and social assistance) has always provided income for poverty-stricken households. Unlike social insurance, which was made available along racial lines, social assistance has always been more inclusive, even before democracy.¹²⁶⁹ However, social security and social welfare rights were given priority only when the RDP was promulgated. As stated above in paragraph 7.3, the RDP paved the way for an inclusive and non-discriminatory

¹²⁶⁶ Para 4.4.2 of this thesis.

¹²⁶⁷ Para 4.2 of this thesis.

¹²⁶⁸ Para 4.2 of this thesis.

¹²⁶⁹ Para 4.3.2 of this thesis.

social welfare system, resulting in millions of beneficiaries.¹²⁷⁰ This indicates the beneficial value of alleviating food insecurity through social grants. Social grants are important for providing income to meet food needs and to allow for the purchasing of basic amenities.¹²⁷¹

The chapter also showed that social grants play a crucial role as a source of income for rural households.¹²⁷² Social grants ensure that households, and especially the unemployed, are not plunged into chronic food insecurity.¹²⁷³ Households that have unemployed members mostly rely on social grants to purchase food.¹²⁷⁴ Social protection also affords households some form of dignity, as seen in *Black Sash Trust v Minister of Social Development*.¹²⁷⁵ The court held that the constitutional right to social assistance provides the bare bones of a life of dignity, equality and freedom for many people, especially children, the elderly and the indigent,¹²⁷⁶ because social grants reduce incidences of inequality and food insecurity for the poor.¹²⁷⁷ To this end, OAGs and children's grants play a vital role in ensuring that children and the elderly have access to food. Children's grants are often used for a variety of livelihood activities, such as school fees, purchasing food and petty trading to enable households to access other basic amenities.¹²⁷⁸ This enables households to have access to food and to avoid absolute poverty. On the other hand, OAGs are used to support extended families, due to high unemployment levels.¹²⁷⁹ Taking into account the statistics illustrated in Table 7-1, social grants play a vital role in achieving food security and in ensuring that households move out of the poorest poverty bracket. This calls for the government to ensure that social protection measures are properly targeted. At the same time, households should be

¹²⁷⁰ Para 4.3.3 and table 7-1 of this thesis.

¹²⁷¹ Paras 4.3.4, 4.3.5, 4.3.6 and 4.3.7 of this thesis.

¹²⁷² Paras 4.3.4 and 4.3.7 of this thesis.

¹²⁷³ Para 3.3.2.2 of this thesis.

¹²⁷⁴ Paras 4.3.4–4.3.7 and 3.3.2.2 of this thesis.

¹²⁷⁵ *Black Sash Trust v Minister of Social Development* [2017] ZACC 8 para 36.

¹²⁷⁶ *Black Sash* para 36.

¹²⁷⁷ Para 4.3.7 of this thesis.

¹²⁷⁸ Para 4.3.5 of this thesis.

¹²⁷⁹ Paras 3.3.2.2 and 3.3.2.3 of this thesis.

encouraged to enter the job market to prevent overdependence on social grants,¹²⁸⁰ since social grants are insufficient to meet food demands.

Subsistence farming, unlike social grants, aims to ensure that households produce their own food. This is important because it enables households not only to escape poverty but also to control their own resources. The IFSS therefore emphasises home gardening as a strategy to achieve food security.¹²⁸¹ This strategy is important in ensuring compliance with South Africa's commitments as outlined in the Rome Declaration of 2009 and in various agricultural transformation policies, such as the CRDP, the ISRDS and the MTSF. Subsistence farming has the potential to provide an extra food source for households and to provide an extra income.¹²⁸² At the same time, households benefit from producing food that is culturally acceptable, nutritious and dietarily adequate, thereby achieving food sovereignty.¹²⁸³ However, subsistence farming as a food security intervention requires both good policies and the effective implementation of these policies to be a success.

Chapter 4 explained that one way of ensuring that subsistence farming is viable is by providing efficient extension services.¹²⁸⁴ Extension services should be formulated in a manner that embodies both traditional farming practices and modern technologies for optimal results.¹²⁸⁵ Poor extension services can lead to the ineffective implementation of agriculture as a food security strategy. Lack of extension knowledge can result in poor yields and the waste of resources, especially for subsistence farmers.¹²⁸⁶ The government should enable subsistence farmers to access extension knowledge, innovations, technologies and information.¹²⁸⁷

¹²⁸⁰ Para 4.3.7 of this thesis.

¹²⁸¹ Para 4.4.1 of this thesis.

¹²⁸² Paras 4.4.1, 4.4.2, 5.3.1–5.3.4 of this thesis.

¹²⁸³ Para 4.4.2 of this thesis.

¹²⁸⁴ Para 4.4.3 of this thesis.

¹²⁸⁵ Para 4.4.4.3 of this thesis.

¹²⁸⁶ Para 4.4.4.3 of this thesis.

¹²⁸⁷ Chapters 5 and 6 of this thesis.

7.5 The viability of subsistence farming in South Africa

Chapter 5 described case studies conducted on the potential of subsistence farming as a food security strategy,¹²⁸⁸ as well as the prevailing realities faced by many rural households in producing their own food. The chapter commenced by analysing and discussing pertinent international and regional instruments on agricultural transformation with the aim of showing how governments are obligated to create environments conducive to empowering subsistence farmers. In addition, the chapter discussed specific legislative frameworks and programmes aimed at promoting subsistence farming in South Africa and the challenges that affect their implementation.¹²⁸⁹ The chapter noted that at the international level "soft laws" play a critical role in guiding state parties in implementing agriculture as a food security intervention. As a starting point one goal of the UN Principles and Guidelines on Poverty Interventions is to provide a guide on the content of agricultural policies.¹²⁹⁰ State parties are required to ensure that such policies take the needs and demands of the poor into account, and that any negative impact of such policies should be minimised.¹²⁹¹

Agenda 2 and Habitat II seek to incorporate sustainable agriculture within the confines of rural development. This allows governments to cater for the needs of subsistence farmers and also ensures that rural development programmes are coherent and consider the livelihood needs of rural households.¹²⁹² This means that the composition and characteristics of rural households are taken into account, such as the fact that women farmers are a majority among rural dwellers.¹²⁹³ The government is obliged to develop special programmes to empower female farmers. The role of female farmers in reducing food insecurity is also acknowledged in the FAO Voluntary Guidelines.¹²⁹⁴ The FAO Voluntary Guidelines also encourage the adoption of new agroecological farming systems

¹²⁸⁸ Paras 5.3.1–5.3.4 of this thesis.

¹²⁸⁹ Paras 5.2.3.1–5.2.2.3 of this thesis.

¹²⁹⁰ Para 5.2.1 of this thesis.

¹²⁹¹ Para 5.2.1 of this thesis.

¹²⁹² Paras 5.2.1.1 and 5.2.1.2 of this thesis.

¹²⁹³ Para 5.2.1.2 of this thesis.

¹²⁹⁴ Para 5.2.1.3 of this thesis.

that increase production and promote ecological sustainability. The discussion above makes it clear that in order to implement subsistence agriculture as a food security intervention, governments should consider the factors that limit and enhance such a strategy. This will assist in determining whether such governments have the capacity to implement subsistence agriculture as a food security intervention.

In Africa, regional instruments aimed at reducing food insecurity adopt a holistic approach that not only promotes agriculture as a food security strategy but also promotes good farming practices. Chapter 5 indicated that the Ouagadougou Declaration is aimed at encouraging governments to adopt programmes that promote poverty reduction and employment in the fields of infrastructure, agriculture and rural development.¹²⁹⁵ This shows that agriculture is considered an important livelihood resource for rural populations. The Sirte Declaration goes a step further and promotes the use of scientific research in agricultural transformation with the purpose of addressing the factors that might affect sustainable farming practices, such as desertification, soil and water conservation, and environmental protection.¹²⁹⁶ This is vital in ensuring that subsistence agriculture is sustainable and effective for the purposes of food security. This viewpoint is shared in the CAADP and the RAP, which provide that agriculture, is integral to the economic growth of African states.¹²⁹⁷

Agenda 2063 promotes the modernisation of agriculture and one of its objectives is the creation of intra-Africa agriculture trading, which limits agricultural imports from outside Africa.¹²⁹⁸ This presents a great platform for establishing local market access opportunities for subsistence farmers, because lack of market access is one factor that has kept subsistence farmers from thriving and has denied them secondary income from their produce.¹²⁹⁹ The availability of markets

¹²⁹⁵ Para 5.2.2.1 of this thesis.

¹²⁹⁶ Para 5.2.2.1 of this thesis.

¹²⁹⁷ Para 5.2.2.2 of this thesis.

¹²⁹⁸ Para 5.2.2.2 of this thesis.

¹²⁹⁹ Para 5.4.1 of this thesis.

would enable rural households to have access to food as well as meet other socio-economic needs.

Bearing in mind its international and regional commitments and obligations, the South Africa government has enacted various policies and programmes aimed at agricultural transformation. Chapter 5 showed how household production has received much-needed support over the years, starting with the CASP and Ilima/Letsema programmes of 2004 and 2009 respectively.¹³⁰⁰ The CASP and Ilima/Letsema programmes were initiated to provide agricultural starter packs to selected beneficiaries in order to promote subsistence farming.¹³⁰¹ This was done in line with the objective of the MTSF 2009–2014, which was to ensure that rural households produced at least 60% of the food they consumed.¹³⁰² In addition, the provision of agricultural starter packs was aimed at countering the poor use of productive agricultural land due to the lack of credit, farming infrastructure and farming capacity.¹³⁰³ At the same time, CASP was poorly implemented, which resulted in the intended beneficiaries not benefiting from the programme.¹³⁰⁴ It was shown that factors such as once-off assistance to farmers and the lack of capacity of farmers to commercialise their produce are but some of the factors that cause agricultural transformation programmes to be unsustainable,¹³⁰⁵ because subsistence agriculture as a food security strategy requires that the beneficiaries of government support receive constant extension support. Therefore, short-term agricultural support does not enable subsistence producers to realise their potential as farmers. It follows that if households cannot produce food, they cannot be food secure, and their right of access to sufficient food is not realised.

However, despite the good intentions of the government in fighting household food insecurity, chapter 5 revealed that these programmes were unsustainable

¹³⁰⁰ Para 5.2.3.1 of this thesis.

¹³⁰¹ Para 5.2.3.1 of this thesis.

¹³⁰² Paras 3.5.2 and 5.2.3.1 of this thesis.

¹³⁰³ Para 5.2.3.1 of this thesis.

¹³⁰⁴ Para 5.2.3.1 of this thesis.

¹³⁰⁵ Para 5.2.3.1 of this thesis.

due to lack of capacity and farming skills, and the non-availability of extension services.¹³⁰⁶ It seems that subsistence agriculture requires considerable skills development for it to be a viable food security intervention. This is why the NDP and the APAP were enacted; their goal is not only to promote subsistence agriculture but also to ensure capacity building that includes linking farmers to markets to enable them to sell their produce, training extension officers to respond to the needs of small-scale farmers, and ensuring that extension services are available to farmers.¹³⁰⁷ The NDP aims to promote the rural economy by providing irrigated water and dry-land production,¹³⁰⁸ which is important since water and land constraints are the major impediments to effective subsistence agriculture.¹³⁰⁹ New and improved support systems are required to make subsistence agriculture a viable food security intervention.

The Fetsa Tlala programme, which is a more improved version of CASP, and Ilima/Letsema intend promoting household food security by providing subsistence farmers with inputs and infrastructure such as fertilisers, pesticides, herbicides, seedlings for crop production, irrigation, and storage and fencing infrastructure.¹³¹⁰ This enables subsistence farmers to obtain the necessary resources for their farming. Another important pillar of the Fetsa Tlala programme is that it aims to promote market access for subsistence farmers. This notion of capacity building within the subsistence agricultural sector is also included in the MTSF 2014–2019, the central aim of which is to strengthen food security and agricultural competitiveness in rural households in order to lift such households out of poverty.¹³¹¹ Taking into account the discussion above agricultural policies and programmes that advance agricultural transformation should identify the prevailing realities within rural households in order to be effective in achieving food security.

¹³⁰⁶ Para 5.2.3.1 of this thesis.

¹³⁰⁷ Para 5.2.3.2 of this thesis.

¹³⁰⁸ Para 5.2.3.2 of this thesis.

¹³⁰⁹ Paras 5.4.2 and 5.4.3 of this thesis.

¹³¹⁰ Para 5.2.3.3 of this thesis.

¹³¹¹ Para 5.2.3.3 of this thesis.

Lastly, chapter 5 analysed and discussed the potential of subsistence agriculture as a food security strategy by examining existing case studies. The aim was twofold: to deduce the extent to which households in rural South Africa have benefited from subsistence agriculture, and to determine whether government support has been efficient in promoting subsistence agriculture. Subsistence agriculture served four main purposes in rural households: to provide an extra source of food, a main source of food, an extra source of income and a main source of income.¹³¹² The discussion in chapter 5 indicated that agriculture was mainly undertaken to provide an extra source of food. This is apparent from the types of crops cultivated, such as maize and vegetables, that form a staple diet for most rural households.¹³¹³ At the same time, such households managed to yield only a marginal amount of produce from their farming activities and had to rely on other sources, especially social grants, to meet food demands.¹³¹⁴

Similarly, households that relied on subsistence farming as their main source of food could not meet more than 50% of their food demands.¹³¹⁵ Furthermore, households that engaged in farming for the purposes of income made only a small profit from marketing their produce and were among the most impoverished.¹³¹⁶ Profits from farming improved mostly from the sale of vegetables such as cabbages and butternut, which do not form part of staple diets.¹³¹⁷ The sale of ILVs showed that these vegetables have the potential to earn more income for farmers, but a lack of market access opportunities restricted their sale to local markets and neighbouring villages.¹³¹⁸ It was shown that factors such as a lack of marketing skills, poor rural infrastructure and a lack of government support hinder the commercialisation of ILVs to peri-urban and

¹³¹² Para 5.3.1 and table 10-1 of this thesis.

¹³¹³ Paras 4.4.2, 5.3.1 and 5.3.2 of this thesis.

¹³¹⁴ Paras 5.3.1 and 5.3.4 of this thesis.

¹³¹⁵ Paras 5.3.1 and 5.3.2 of this thesis.

¹³¹⁶ Para 5.3.2 of this thesis.

¹³¹⁷ Para 5.3.2 of this thesis.

¹³¹⁸ Para 5.3.3 of this thesis.

urban localities.¹³¹⁹ Another factor is the lack of arable land as farms are too small to produce large quantities for both consumption and income purposes.¹³²⁰

However, the most concerning aspect is the general lack of farming skills among subsistence farmers, as indicated in Table 12-1. Subsistence farmers lack the required basic farming skills to produce sufficient yields, making commercialisation improbable.¹³²¹ Lack of access to credit facilities also means that subsistence farmers cannot purchase the necessary agricultural technologies to improve their production. It was shown that some households rely on their social grant payments to improve farming activities.¹³²²

Furthermore, the failure to address these challenges not only violates the right to have access to sufficient food in section 27(1)(b) of the *Constitution*, but also denies rural households their right to food sovereignty. The potential of subsistence agriculture as a food security strategy is affected by factors such as lack of market access, water shortages and land constraints.¹³²³ These factors hamper the viability of subsistence agriculture as both a source of food and a source of income. Paragraphs 5.3.1 to 5.3.4 indicate that a lack of access to credit by subsistence farmers and a lack of marketing opportunities hamper the efficacy of subsistence farming as a livelihood resource. This calls for an integrated rural development framework that promotes the improvement of infrastructure in rural communities.¹³²⁴ Furthermore, water constraints should be addressed by adopting agricultural technologies such as water harvesting and irrigated farming.¹³²⁵ In relation to land constraints, agricultural intensification and off-farm activities can provide an alternative livelihood source.¹³²⁶

¹³¹⁹ Para 5.3.3 of this thesis.

¹³²⁰ Table 11-1 and para 5.4.2 of this thesis.

¹³²¹ Para 5.3.3 of this thesis.

¹³²² Para 5.3.4 of this thesis.

¹³²³ Paras 5.4.1–5.4.3 of this thesis.

¹³²⁴ Para 3.5.4 of this thesis.

¹³²⁵ Para 5.4.2 of this thesis.

¹³²⁶ Paras 3.5.2 and 5.4.2 of this thesis.

7.6 Lessons from comparative jurisprudence

Chapter 6 provided a detailed comparative discussion of how the governments in Tanzania, Uganda and Nigeria support subsistence farmers by providing extension services. The Tanzanian and Ugandan examples are the most relevant and well established and provide vital lessons for South Africa. In Tanzania, the government has adopted crucial policies and programmes for agricultural transformation with the view to also using ICTs to disseminate extension services.¹³²⁷ Most interesting is the fact that, in Tanzania, the policies are geared towards promoting food security with the aim of empowering subsistence farmers to adopt new farming systems.¹³²⁸ Hence, the government has adopted policies that allow for collaboration between the public and private sectors in providing agricultural support to farmers.¹³²⁹ This enables these sectors to share relevant information that benefit farmers, including integration of traditional and modern farming technologies and innovations.

Most notable is the Kilimo-Kwanza resolution, which aims to turn agriculture into both a livelihood resource and an economy commodity.¹³³⁰ This resolution advocates the use of both TES and new models of extension dissemination for farmers to adapt their farming systems to be more profitable.¹³³¹ Threats such as poor transportation, infrastructure and market access are addressed to enable farmers to commercialise their produce. The NAP takes account of challenges that prevent subsistence agriculture from being productive, such as low productivity, poor infrastructure, low participation of the country's private sector in agriculture and inadequate agricultural support services.¹³³² To address these challenges the Tanzanian government has adopted new extension models, such as the use of ICTs i.e. radios, mobile phones and farmer field schools to disseminate extension information, climatic information and marketing

¹³²⁷ Paras 6.2.2.1–6.2.2.5 of this thesis.

¹³²⁸ Para 6.2.2.1 of this thesis.

¹³²⁹ Paras 6.2.2.1 and 6.2.2.3 of this thesis.

¹³³⁰ Para 6.2.2.3 of this thesis.

¹³³¹ Paras 6.2.3.1–6.2.3.2 of this thesis.

¹³³² Para 6.2.2.2 of this thesis.

information to farmers.¹³³³ Chapter 6 showed that such extension methods have been of great success and makes it easy for extension officers to communicate.¹³³⁴ ICTs also make the sharing of agricultural information easy among farmers. This results in more farmers obtaining information than with TES, which require extension officers to visit farmers in their localities. It was shown that to limit the gap presented by ICTs, the government of Tanzania has introduced FFS.

FFS are a viable platform for the dissemination of detailed agricultural information, innovations and inputs, as they combine TES models and participatory farmer-driven models of extension.¹³³⁵ FFS are also used to introduce non-conventional farming systems, such as conservation agriculture.¹³³⁶ Conservation agriculture

"is a farming approach that involves three basic principles, namely minimum soil disturbance or no-tillage, permanent soil cover and diversified crop rotations or associations".¹³³⁷

This not only leads to increased farm production but also ensures that extension officers are empowered through training to introduce new farming technologies to subsistence farmers.¹³³⁸ The sharing of knowledge in FFS empowers farmers to adapt their existing farming systems, resulting in increased production for both consumption and income purposes. Households thus achieve food security and increase their household income.¹³³⁹ Tanzania's approach has resulted in subsistence farming being a viable option in enhancing food security at household level and in achieving Tanzania's goal of empowering households to be food self-sufficient.¹³⁴⁰

¹³³³ Para 6.2.3 of this thesis.

¹³³⁴ Para 6.2.3.1 of this thesis.

¹³³⁵ Para 6.2.3.2 of this thesis.

¹³³⁶ Para 6.2.3.2 of this thesis.

¹³³⁷ Owenya et al 2011 *International Journal of Agricultural Sustainability* 145.

¹³³⁸ Para 6.2.3.2 of this thesis.

¹³³⁹ Para 6.2.1 of this thesis.

¹³⁴⁰ Para 6.2.2 of this thesis.

On the other hand, in Uganda, subsistence agriculture is viewed as a strategy to increase household food income. Hence, Uganda's policies and programmes on agriculture lean more towards the commercialisation of agriculture.¹³⁴¹ Uganda's UFNP and UFNS seek to promote food security and adequate nutrition among Ugandans by ensuring that food is available, accessible and affordable in quantities and qualities sufficient to satisfy the dietary needs of individuals sustainably and to promote the formulation of appropriate policies, laws and standards for food security and nutrition.¹³⁴² In achieving these objectives, the government aims to address the issues associated with agricultural technology, lack of market access and market information.¹³⁴³ Addressing access to market opportunities is a goal of the UNFS. This is seen as integral in increasing household income and ensuring that such households are food secure.¹³⁴⁴ Uganda's PMA and the NAADS Act encourage the transformation of subsistence agriculture to commercial agriculture by advocating for conditions that will empower subsistence farmers to enter the formal market.¹³⁴⁵

Paragraph 6.3.3.2 showed that the NAADS Act provides for demand-driven technologies that are responsive to farmer needs, including technological development and market linkages, quality assurance and technical auditing, private sector institutional development, and programme management and monitoring. Uganda's Vision 2040 provides for the reform of extension systems to improve information access for farmers, ensure access to markets, reduce overdependence on rain-fed agriculture, and improve the application of technology and innovations. All these factors are important in promoting subsistence farming as a profitable food security strategy.¹³⁴⁶

For subsistence farming to be competitive the Ugandan government has adopted new extension models such as ICTs, farmer field schools, farmer groups and

¹³⁴¹ Para 6.3.1 of this thesis.

¹³⁴² Para 6.3.2.1 of this thesis.

¹³⁴³ Para 6.3.2.1 of this thesis.

¹³⁴⁴ Para 6.3.2.1 of this thesis.

¹³⁴⁵ Para 6.3.2.2 of this thesis.

¹³⁴⁶ Para 6.3.2.2 of this thesis.

farmer-to-farmer extension. The use of ICTs and farmer field schools to provide extension services and disseminate agricultural inputs and technologies is the same approach that is adopted in Tanzania.¹³⁴⁷ However, the NAADS Act provides for the establishment of farmer groups, where farmers are formally organised for the purposes of sharing extension knowledge and technologies.¹³⁴⁸ Moreover, farmer groups provide a good way for farmers to access credit facilities, as these would not be available to individual farmers.¹³⁴⁹ Farmer groups also have access to information on current market prices for different agricultural produce, knowledge about profitable crops and the types of markets where produce can be sold.¹³⁵⁰ Therefore, it is prudent for farmers to belong to such groups in order to establish strong ties with markets. This approach would be useful for South Africa's subsistence agricultural sector because, as explained in paragraph 5.4.1, lack of access to credit facilities and markets has prevented subsistence farmers from selling their produce in formal markets.

Another interesting extension model that Uganda has implemented is the FFE, which allows farmers to learn best practices from each other. Paragraph 6.3.3.3 showed how experienced farmers train and guide other farmers in the use of relevant farming technologies. Cordial relationships between farmers develop, and upcoming farmers are encouraged by the success of others.¹³⁵¹ As a result, the FFE provides a good complementary extension model in that farmers do not need to rely solely on extension officers, especially where extension officers are few or unavailable.

Finally, the Nigerian example, although not worth emulating, provides valuable lessons especially in relation to policymaking. In Nigeria, the agricultural sector is marred by poor and fragmented policies.¹³⁵² This makes it difficult to monitor and audit the success of subsistence farming as a food security intervention.¹³⁵³

¹³⁴⁷ Paras 6.3.3.1 and 6.3.3.2 of this thesis.

¹³⁴⁸ Para 6.3.3.2 of this thesis.

¹³⁴⁹ Para 6.3.3.2 of this thesis.

¹³⁵⁰ Para 6.3.3.2 of this thesis.

¹³⁵¹ Para 6.3.3.3 of this thesis.

¹³⁵² Paras 6.4.1 and 6.4.2 of this thesis.

¹³⁵³ Para 6.4.2 of this thesis.

The literature revealed two extension models that prevail in Nigeria, namely the FFS model and extension services by private organisations and NGOs.¹³⁵⁴ However, due to a lack of appropriate legislative frameworks, it is difficult to measure the success of such extension models. The Nigerian example revealed that poor policies lead to a dysfunctional agricultural sector.

A few lessons for South Africa emerged, with specific reference to the provision of extension services.¹³⁵⁵ The absence of a pluralistic extension system, such as the systems that exist in Tanzania and Uganda, limits the effectiveness of government support systems, especially in disseminating extension knowledge and technologies, and subsistence farmers do not benefit from the existing extension system. A lack of extension officers means that subsistence farmers rely on their own experience to carry out farming activities.¹³⁵⁶ ICTs are often not used effectively, as seen in the Tanzanian and Ugandan examples.¹³⁵⁷ This defeats the objectives of the Extension Norms and Standards, which are to provide effective extension services and to adopt a participatory approach to knowledge dissemination.¹³⁵⁸ Therefore, the overall purpose of agricultural policies such as the CRDP, the ISRDS, the IFSS, the MTSF and the CASP is defeated.

7.7 Way forward for South Africa and recommendations

This thesis set out to determine the extent to which the South African government complies with its national, regional and international commitments and obligations to ensure food security in rural households through its short-term, and long-term measures aimed at realising the right to have access to sufficient food that is entrenched in section 27(1)(b) of the *Constitution*. South Africa has a plethora of legislative frameworks that promote the realisation of the right to have access to sufficient food. South Africa has been very successful in

¹³⁵⁴ Paras 6.4.2.1 and 6.4.2.2 of this thesis.

¹³⁵⁵ Para 6.5 of this thesis.

¹³⁵⁶ Para 5.3.3 and table 12-1 of this thesis.

¹³⁵⁷ Paras 6.2.3.1 and 6.3.3.1 of this thesis.

¹³⁵⁸ Para 6.5 of this thesis.

implementing short-term food security interventions in the form of social grants.¹³⁵⁹ The poorest households depend on social grants as their main source of income and this extends to households that engage in subsistence agriculture. As a result, social grants, although constituting a meagre income, prevent poor households from falling below the poverty line. Chronic food insecurity is thus minimised, as households can access their very basic food requirements. This thesis also indicated that social grants also assist recipients to live dignified lives. Therefore, it appears that the government's short-term food security strategy is viable and beneficial to poor households. The government must ensure that social protection measures are properly targeted. At the same time, households should be encouraged to enter the job market to prevent overdependence on social grants.¹³⁶⁰

The long-term food security strategy namely subsistence farming has been ineffective in promoting household food security, despite the numerous policies that are aimed at promoting subsistence agriculture as a food security intervention. This thesis identified challenges such as the poor implementation of the relevant legislative frameworks, the lack of extension officers as well as their lack of experience, ineffective extension services, lack of farming skills, lack of access to credit and market opportunities, land and water constraints, and poor rural infrastructure. This means that South Africa has failed to discharge its national, regional and international obligations and commitments in respect of agricultural transformation.¹³⁶¹

This inefficient implementation of legislative frameworks relating to agricultural transformation falls foul of section 27(1)(b) and (2) of the *Constitution*, and the right to have access to sufficient food is violated. Most concerning is the fact that basic extension services are non-existent, as indicated in chapter 5. Chapter 5 indicated that the government is not doing enough to support farmers in respect of providing extension services, because most of the challenges that farmers

¹³⁵⁹ See paras 4.3.4-4.3.7 of this thesis.

¹³⁶⁰ Paras 4.3.4-4.3.7 of this thesis.

¹³⁶¹ See paras 5.3.1-5.4.3 of this thesis.

encounter can easily be addressed by the provision of relevant extension information, innovations and technologies.¹³⁶² The government's efforts to empower rural households to be food self-sufficient are therefore ineffective. Households are unable to meet their food demands and do not enjoy the right to have access to sufficient food. This means that the requirements of food availability, accessibility and adequacy, as outlined in General Comment 12, are not being met. Therefore, subsistence farming is an unprofitable intervention for rural households and denies such households the opportunity to enjoy food sovereignty. Furthermore, the lack of complementary extension models as envisaged in the Extension Norms and Standards indicates that extension officers are not properly trained. A participatory and farmer-centred extension system that considers the uniqueness of farming practices at household level is required.

Therefore, it is suggested that South Africa should adopt the Tanzanian and Ugandan examples to revive the subsistence agricultural sector. The government is encouraged to ensure access to sustainable farming technologies and innovations by implementing complementary extension models such as FFS, FFE and farmer groups. Such alternative extension models will encourage extension officers and subsistence farmers to adopt new farming systems that enhance the effectiveness of subsistence agriculture as a food security intervention. This calls for collaboration with institutions of higher learning and the private sector to ensure that these extension models are effective. In addition, the adoption of alternative extension models empowers subsistence farmers to adopt extension innovations and technologies that are suitable for their farming needs and demands. Furthermore, as seen in the Ugandan example, farmer groups provide opportunities for sharing farming technologies and assist subsistence farmers with obtaining funding and/or credit that would not be available to individual farmers. Therefore, such groups could be used to raise funds to grow the subsistence agricultural sector, as in Tanzania and Uganda.

¹³⁶² Paras 4.4.3.1–4.4.3.4 of this thesis.

This thesis showed that in South Africa programmes that are meant to reduce food insecurity are ineffective due to lack of monitoring and poor implementation. Therefore, farmer groups could be used to identify the intended beneficiaries of agricultural and poverty alleviation programmes. This entails that beneficiaries are properly monitored and assisted. Furthermore, extension officers and subsistence farmers should be exposed to the use of ICTs in disseminating extension information to curtail geographical and time constraints. The model of e-agriculture has recorded some successes in Tanzania and Uganda, and with good infrastructure, South Africa can make greatly benefit from ICT related extension models.

Finally, the existing rural development framework should be properly implemented to create opportunities for both on-farm and off-farm employment for rural households. This enables households to rely on both farming activities and non-farm employment to supplement household income. This further promotes sustainable rural livelihoods and minimise food insecurity. Furthermore, a well-established rural development strategy can lead to the development of rural infrastructure, such as roads, local markets, water access etc. The development of infrastructural facilities is vital for subsistence farmers to access market opportunities. This therefore calls for the government to ensure that the rural development framework is integrated within strategies that promote agrarian transformation as such integration is vital in discharging the government's commitments, as outlined in the CRDP and the ISRDS. These policies have the potential to transform rural areas into economic hubs for rural dwellers.

- In summary and in view of the conclusions above, it is recommended that: The DAFF, various institutions of higher learning and the private sector should collaborate in training extension officers on complementary extension models (such as farmer field schools, farmer-to-farmer extension and farmer groups) that will enhance the effectiveness of the subsistence agriculture sector.
- The government should introduce formal farmer groups for subsistence farmers.

- The monitoring of programmes such as CASP and Fetsa Tlala should be handed over to new task teams comprising government, institutions of higher learning and the private sector.
- Government should introduce E-agriculture, as has been done in Tanzania and Uganda.
- Government should create opportunities for subsistence farmers to enter commercial markets by enacting relevant legislative frameworks, as in Uganda.
- Government should introduce irrigated agriculture and agricultural intensification methods for subsistence farmers, to address water and land constraints.
- Social grants should be made conditional in respect of children who have parents who are still economically active. Households that have child recipients should undergo a determined periodic review to assess the employment status of the members and the general welfare of such households. This prevents the abuse of social assistance benefits and curb overdependence on social welfare.

ANNEXURES

(Statement by Via Campesina at the World Food Summit 13–17 November 1996)

VIA CAMPESINA

THE RIGHT TO PRODUCE AND ACCESS TO LAND

Food Sovereignty: A Future without Hunger

We, the Via Campesina, a growing movement of farm workers, peasant, farm and indigenous peoples' organizations from all the regions of the world know that food security cannot be achieved without taking full account of those who produce food. Any discussion that ignores our contribution will fail to eradicate poverty and hunger.

Food is a basic human right. This right can only be realized in a system where food sovereignty is guaranteed. Food sovereignty is the right of each nation to maintain and develop its own capacity to produce its basic foods respecting cultural and productive diversity. We have the right to produce our own food in our own territory. Food sovereignty is a precondition to genuine food security.

We, the Via Campesina reject the economic and political conditions which destroy our livelihoods, our communities, our cultures and our natural environment. The liberalization of trade and its economic policies of structural adjustment have globalized poverty and hunger in the world and are destroying local productive capacities and rural societies. This corporate agenda takes no account of food security for people. It is an inequitable system that treats both nature and people as means to an end with the sole aim of generating profits for a few. Peasants and small farmers are denied access to and control over land, water, seeds and natural resources. Our response to the increasingly hostile environment is to collectively challenge these conditions and develop alternatives.

We are determined to create rural economies which are based on respect for ourselves and the earth, on food sovereignty and fair trade. Women play a central role in household and community food sovereignty. Hence they have an inherent right to resources for food production, land, credit, capital, technology, education and social services, and equal opportunity to develop and employ their skills. We are convinced that the global problem of food insecurity can and must be resolved. Food sovereignty can only be achieved through solidarity and the political will to implement alternatives.

Long-term food security depends on those who produce food and care for the natural environment. As the stewards of food producing resources we hold the following principles as the necessary foundation for achieving food security.

Food - a Basic Human Right

Food is a basic human right. Everyone must have access to safe, nutritious and culturally appropriate food in sufficient quantity and quality to sustain a healthy life with full human dignity. Each nation should declare that access to food is a constitutional right and guarantee the development of the primary sector to ensure the concrete realization of this fundamental right.

Agrarian Reform for Food Sovereignty

We demand genuine agrarian reform which gives landless and farming people – especially women -- ownership and control of the land they work and returns territories to Indigenous peoples. The right to land must be free of discrimination on the basis of gender religion, race, social class or ideology; land belongs to those who work it.

Peasant families, especially women, must have access to productive land, credit, technology, markets and extension services. Governments must establish and support decentralized rural credit systems that prioritize the production of food for domestic consumption to ensure food sovereignty. Production capacity rather than land should be used as security to guarantee credit.

To encourage young people to remain in rural communities as productive citizens, the work of producing food and caring for the land has to be sufficiently valued both economically and socially. Governments must make long-term investments of public resources in the development of socially and ecologically appropriate rural infrastructure.

Food Sovereignty: Protecting Natural Resources

Food sovereignty entails the sustainable care and use of natural resources especially land, water and seeds. We, who work the land, must have the right to practice sustainable management of natural resources and to preserve biological diversity. This can only be done from a sound economic basis with security of tenure, healthy soils and reduced use of agro-chemicals.

Long-term sustainability demands a shift away from dependence on chemical inputs, on cash-crop monocultures and intensive, industrialized production models. Balanced and diversified natural systems are required.

Genetic resources are the result of millenia of evolution and belong to all of humanity. They represent the careful work and knowledge of many generations of rural and indigenous peoples.

The patenting and commercialization of genetic resources by private companies must be prohibited. The World Trade Organization's Intellectual Property Rights Agreement is unacceptable. Farming communities have the right to freely use and protect the diverse genetic resources, including seeds, which have been developed by them throughout history. This is the basis for food sovereignty.

Food sovereignty: Reorganizing the Food Trade

Food is first and foremost a source of nutrition and only secondarily an item of trade. National agricultural policies must prioritize production for domestic consumption and food self-sufficiency. Food imports must not displace local production nor depress prices. This means that export dumping or subsidized export must cease. Peasant farmers have the right to produce essential food staples for their countries and to control the marketing of their products.

Food prices in domestic and international markets must be regulated and reflect the true costs of producing that food. This would ensure that peasant families have adequate incomes. It is unacceptable that the trade in foodstuffs continues to be based on the economic exploitation of the most vulnerable -- the lowest earning producers -- and the further degradation of the environment.

It is equally unacceptable that trade and production decisions are increasingly dictated by the need for foreign currency to meet high debt loads. These debts place a disproportionate burden on rural peoples. We demand that these debts be forgiven.

Food Sovereignty: Ending the Globalization of Hunger

Food sovereignty is undermined by multilateral institutions and by speculative capital. The growing control of multinational corporations over agricultural policies has been facilitated by the economic policies of multilateral organizations such as WTO, World Bank and the IMF. We demand the regulation and taxation of speculative capital and a strictly enforced Code of Conduct for transnational corporations.

Social Peace: A Pre-requisite to Food Sovereignty

Everyone has the right to be free from violence. Food must not be used as a weapon. Increasing levels of poverty and marginalization in the countryside, along with the growing oppression of ethnic minorities and indigenous populations aggravate situations of injustice and hopelessness. The ongoing displacement, forced urbanization and repression of peasants cannot be tolerated. We denounce the increasing incidence of racism in the countryside.

Food Sovereignty: Democratic control

Peasants and small farmers must have direct input into formulating agricultural policies at all levels. This includes the current FAO World Food Summit from which we have been excluded. The United Nations and related organizations will have to undergo a process of democratization to enable this to become a reality. Everyone has the right to honest, accurate information and open and democratic decision-making. These rights form the basis of good governance, accountability and equal participation in economic, political and social life, free from all forms of discrimination. Rural women, in particular, must be granted direct and active decision-making on food and rural issues.

Via Campesina
November 11-17, 1996 in Rome, Italy

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