

## **INSERTING FOOD SECURITY INTO THE LAND DEBATE**

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Section 27(1) and (2) of the Constitution guarantee every citizen the right to sufficient food, whereby the state must take reasonable measures to ensure the realisation of this right. To ensure fulfilment of this constitutional imperative, Cabinet approved the *National Policy on Food and Nutrition Security* (the Policy) in 2013. The Policy seeks to improve food production and distribution and promotes smallholder production, which is interchangeably used with “subsistence farming”, “community-based farming”, or “peasant farming”. While smallholder farmers have limited resources, they play an integral role in creating livelihoods and ensuring food production amongst the poor-rural population. The Policy envisaged a framework to safeguard the right to sufficient food, however food insecurity remains pervasive.

In 2016, the *Department of Agriculture, Forestry, and Fisheries (DAFF) Annual Report 2016* stated that although the country can meet food requirements under normal weather conditions, 14 million South Africans are vulnerable to hunger and have insufficient access to food. Additionally, the Statistics South Africa (StatsSA) *Community Survey 2016* showed that 2.2 million households reported skipping a meal in the past year, and 3.3 million households reported they had run out of money to buy food in the last 12 months.

Moreover, given South Africa’s recent downgrade to ‘junk status’, the country may see higher food inflation in the future, which will further threaten food security. According to the *Food Price Monitor* released by the National Agricultural Marketing Council, South Africa’s overall food inflation for January 2017 was 11.4%, with sugar, sweets, and bread accounting for the largest contributions. A rise in food costs, compounded with rising oil and energy prices, may exacerbate the status of South Africa’s already precarious food security conditions.

It is important to note that food security is intrinsically connected to historical land debates in South Africa. These debates should be understood in the context of the *Land Act* of 1913 and apartheid spatial planning, which assigned the majority of non-white South Africans to living areas far-removed from economic opportunities. Albeit progress has been made to diminish the geography of racism, the *National Development Plan 2030* (NDP) asserts that communities at the peripheries of society remain in a poverty trap. This rings particularly true for communities settled in rural areas. The NDP highlights that a primary challenge for fostering rural development has been the disproportionate rate of marginalisation, inequality, and poverty that rural people face. To promote rural development, the NDP advocates for “agricultural development based on successful land reform”, beginning with smallholder farming.

Furthermore, addressing tenure security for farmers is vital to rural agricultural development. Currently, a farm worker does not receive ownership of their residence on the farm they reside on; as a result, farm workers can be unfairly evicted. The *Extension of*

*Security of Tenure Act* facilitates long-term land tenure security but only protects occupiers who have been given *permission* by the landowner to reside in a dwelling on that farmland. The NDP states “as long as these farmers (especially women farmers) do not have secure tenure they will not invest in the land and agricultural production will not grow”. As highlighted, insecure land tenure has an impact on agricultural production and may hinder the NDP’s vision of “rural communities having better opportunities to participate fully in the economic, social and political life of the country” by 2030. Furthermore, the NDP affirms that creating tenure security is necessary to expand agriculture and bolster food production.

According to *@Liberty - From land to farming: bringing land reform down to earth*, a May 2016 policy brief by the Institute of Race Relations (IRR), “5% of smallholder farmers own their farms, the rest is produced under precarious land-tenure arrangements either on land leased from the state (15%) or on communal land (80%)”. Further, the IRR argues that rural poverty is worsening, which has led to an influx of migration from rural to urban areas. A lack of smallholder land ownership combined with high rates of urban migration has called for alternative modes of agriculture production to ensure food security.

A successful alternative has been the Philippi Horticultural Area (PHA) in Cape Town. According to the PHA Food and Farming Campaign, the PHA is the last catchment area for the Cape Flats Aquifer, which is the main source of irrigation water for farmers in the area - and is virtually drought-proof. Nazeer Sunday, farmer and advocate for the PHA, claims that this land is the highest productive area per hectare in the country - producing 200 000 tonnes of vegetables annually. The PHA is situated in an urban setting, which has allowed farmers to realign their markets and sell their products to retailers and restaurants in the area. The PHA has been able to sustain its surrounding urban population and has proven to be an area where small-scale farming is a feasible livelihood. However, urban development applications seeking to rezone the area from horticulture to urban use have been taken into consideration. Paving over the PHA will eventually destroy the aquifer. Sunday argues that urban development will not only threaten the agricultural land, but will also undermine food security.

The PHA dilemma is not unique to other development challenges that South Africa faces. The City of Cape Town is under pressure to provide affordable housing; particularly around the PHA area. The nexus between affordable housing and agricultural development/food security becomes a difficult area to navigate. On one hand, 14 million South Africans live without adequate access to food, and on the other hand, millions more reside in poor living conditions, displaced from economic opportunity. This is a catch-22 situation that highlights the residual complexities stemming from centuries of racial oppression. It also calls attention to the detriment of understanding social issues in a vacuum. Food security, access to land, and development are interconnected. When implementing interventions, it is vital to take cognisance of the interconnectedness of these issues. Human rights are indivisible, interdependent, and interrelated - therefore mechanisms to promoting the right to food should reflect this.