

**MENDEL UNIVERSITY IN BRNO**

Faculty of Regional Development and International Studies

**Land reform as a strategic approach to enhancing  
people's right to food – fact or fiction?**

Diploma Thesis

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Brno 2016

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## **Acknowledgement**

I would like to express my sincerest gratitude to my supervisor Ing. Ivo Zdráhal, Ph.D. for his continuous support, bottomless patience and motivation, as well as professional guidance during writing of this thesis. Similarly, I am grateful to Dr Francois Lategan for his thoughtful inputs, for enthusiastically pointing out to me the line of reasoning behind this study, and for teaching me how to engage critically with the world around.

## **Abstract**

Omelková, Kateřina. Land reform as a strategic approach to enhancing people's right to food – fact or fiction? Brno, 2016. Diploma Thesis. Mendel University in Brno.

This diploma thesis focuses on the interrelationship between the land reform programme in South Africa and the objectives of the right to food. It primarily purposes to answer following question: *'Does the land reform programme sufficiently support the objectives of the right to food?'*. In order to interrogate this question effectively a methodology connecting the concepts of the right to food, land reform programme and sustainable rural livelihood was developed. Developed methodology and methods were subsequently applied and tested on selected projects of land redistribution in South Africa. The key question was addressed through the analytical approach assessing the perceived degree of success of the interrelationship.

**Key words:** Right to food, land reform, sustainable rural livelihood, land redistribution, vulnerability, South Africa

## **Abstrakt**

Omelková Kateřina. Pozemková reforma jako strategický přístup k naplňování lidského práva na potraviny - fakt nebo fikce? Brno, 2016. Diplomová práce. Mendelova univerzita v Brně.

Tato diplomová práce se zabývá vzájemným vztahem mezi pozemkovou reformou v Jihoafrické republice a pilíři lidského práva na potraviny. Primárně si klade za cíl odpovědět na otázku, zda pozemková reforma dostatečně podporuje základní cíle lidského práva na potraviny. Za účelem zodpovězení této otázky je zde vypracována metodika, jež propojuje koncept lidského práva na potraviny, pozemkovou reformu a rámec tzv. sustainable rural livelihood. Vypracovaný metodologicko-metodický přístup byl pak dále aplikován a testován na vybraných projektech redistribuce půdy v Jihoafrické republice. Klíčová otázka byla vyhodnocena analyticky, skrze kvantifikaci vnímaného stupně naplnění cílů plynoucích z výše uvedeného vzájemného vztahu pozemkové reformy a práva na potraviny.

**Klíčová slova:** právo na potraviny, pozemková reforma, sustainable rural livelihood, redistribuce půdy, zranitelnost, Jihoafrická republika



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## 1. INTRODUCTION

*“We do not want freedom without bread, nor do we want bread without freedom. We must provide for all the fundamental rights and freedoms associated with a democratic society,”*

Nelson Mandela

When Nelson Rolihlahla Mandela gave his speech on the occasion of the Bill of Rights Conference of African National Congress (ANC) in 1991, South Africa found itself, after centuries of living in a society characterized by dominance and patriarchy - politically, economically, socially and culturally - at the onset of a new era based on the fundamental tenet of equal human rights for all men and women. These rights are guaranteed by one of the most progressive constitutions in the world, Constitution of the Republic of South Africa, which are supposed to be given effect by extensive policy reforms undertaken since 1994 by the ANC-led government.

Nonetheless, despite several impressive achievements in two decades of South African democracy, the legal framework and realities are often starkly diverged. A dichotomy between rights and expectations on the one hand and actual practices on the other one seems to exist in several socio-economic fields. One such area is the right to food, in many countries a legally binding human right. (OHCHR, 2012) The Constitution of South Africa guarantees the right to adequate food since 1996 as one of only 23 countries in the world that explicitly recognize the right to food in its Constitution. (FAO, 2012) The right to food as legal obligation is furthermore directly appropriate via several international agreements and the number of programs provides an indication of the considerable political commitment in addressing national food security. At the national level, food security is achieved through a diversified production that even allows for exports and the ability to import sufficient food. In terms of availability, hence, South Africa seems to be a food ‘secure’ nation.

However, against this backdrop of positive macro trends and Bill of Rights promises, the socio-economic reality for many South Africans remains an obstacle to people’s right to food. According to comprehensive research conducted by The South African National Health and Nutrition Examination Survey (SANHANES, 2012), roughly one in four of all South Africans are facing hunger, an additional 28.3% are at risk of hunger, 26.5% of children show stunted growth, while 70% of adult women are overweight. (Lancet, et al, 2014) In terms of

adequacy of food supply, data suggest insufficient variety in their diet, reflecting that even more people suffer from a ‘hidden hunger’ – a chronic lack of vitamins and minerals (SPII, 2005). Hence, many South Africans find themselves in a situation of ‘hunger and malnutrition next to the granary’, reflecting a general point Amartya Sen made long ago by indicating that law ‘stands between food availability and food entitlement.

On the strategic road to deal with the historical socio-economic challenges lies land reform. Originally the ‘central and driving force’ of the land reform programme was to improve people’s entitlements. The programme was adopted in order to rebalance the highly racially-skewed distribution of access to land - a consequence of historical violent dispossession. It is conventionally described as consisting of three pillars: restitution, tenure reform and redistribution. The redistribution aspect is particularly perceived as having the potential to give rural households the opportunity to significantly improve their livelihoods and to make a contribution to economic development. However, to date, land reform has fallen short of both official government targets and the public expectations. The pace and process of land reform is too slow with only modest success in converting access to land into improved livelihoods. (May, 2007)

The study follows a particular line of reasoning that commences with an overview and assessment of the concepts associated with the right to food programme in the South African context. This is done to build a broad understanding of the subject and context in which the study is framed.

The introduction will provide a discussion of the background and conditions of the land reform program. Subsequently, I will discuss and justify the methodology used in the research, explain the research design and justify the approach in designing the research.

In order to interrogate the research question of this study effectively, it was necessary to create sufficient space and structure that would enable this enquiry. In order to achieve this, given the innovative value of the study, the study was structured to study and assess the interrelationship between the objectives of the land reform programme and the right to food programme and their respective impacts in the broader context of sustainable rural livelihoods (SRL).

The premise for this line of reasoning assumes that the objective benefit of these land redistribution programmes should support the basic objectives of the right to food programme

(availability, accessibility and adequacy of food) in order to benefit the Rural Livelihoods of beneficiaries. Should there be no perceived or experienced benefit, the lack should reveal a path that disconnects these three concepts, suggesting that there is discontinuity between these objectives. This discontinuity could be possible due to the objectives of the land reform programme not supporting the objectives of the right to food programme, leading to basic improvements in rural livelihoods not realizing.

The concept was subsequently applied in three case studies performed in September 2015 in Western Cape, South Africa. The 'Analysis' chapter presents findings of this research exercise. Finally, the various threads of the research are synthesized into a found in the Conclusion.

## **2. OBJECTIVE AND METHODOLOGY**

### **2.1 The objective of the thesis**

The overall objective of this thesis is **to examine the relationship between the land reform programme in South Africa and the objectives of the Right to Food**. This objective primarily purposes to answer following question: *'Does the land reform program sufficiently support the objectives of the right to food?'*. To fulfill the overall objective and to interrogate the question effectively, the following partial objectives were determined:

- I. To define the concepts of the Right to Food and land reform programme in the context of South Africa.
- II. Based on the identified concepts to develop a conceptual framework that allows an analysis of the interrelationship.
- III. To develop an analytical approach for assessing the perceived degree of success of the interrelationship.
- IV. To characterize the selected region in South Africa and to apply the developed methodology and methods on selected projects of land redistribution in South Africa.
- V. To assess and interpret the results of the analysis of the interrelationship between the land reform programme and the objectives of the right to food.
- VI. To discuss the results and draw conclusions.

### **2.2 Research methods**

Participation of Mendel University on Eco Fair Trade Teaching project allowed me to spend during September and October 2015 nearly five weeks in the Western Cape province in South Africa. This experience enabled me to build my thesis on a field work based research and, very importantly, it significantly facilitated the absorption of all concepts. Following methodology was used during the process of elaborating this study.

#### *2.2.1 Documentary analysis*

Based on documentary analysis first three partial objectives have been addressed. Firstly, a literature review conducted prior to arrival to South Africa enabled defining of the concepts of the right to food and land reform programme and, hence, helped to build a broader understanding of the context in which the study is framed. Secondly, selection of individual

components creating the designed conceptual framework was justified based on the existing literature. Thirdly, characteristics of the selected region in South Africa was based on documentary analysis.

The collection is based mainly on following literature: government documents (annual reports, speeches, legislation, budgets, policy documents, policy briefings), academic analysis, activist literature, research data and number of documents from other sources relevant to topic, e.g. the right to food, food security, sustainable livelihoods, rural development and land reform in South Africa.

### *2.2.2 In-depth interviews*

To ensure full coverage of a theme, apart from the beneficiaries of the land reform, I interviewed also people from different sectors of public life that are involved in land and agricultural policy in South Africa - with a government, bureaucracy and academic background. For the purpose of this study, hence, I conducted in total 25 in-depth interviews with beneficiaries of redistribution programme, while interviewing also several key informants among government employees (provincial DLA, Western Cape Department of Agriculture) as well as informants with an academic background (Institute for Poverty, Land and Agrarian Studies, Cape Peninsula University of Technology). Additionally, participation at the conference held in the Hobeni Training Centre (15<sup>th</sup>-17<sup>th</sup> of September 2015), focusing on the issue of enhancing traditional rural small farm and homestead systems to sustainably increase income and food supply, offered me a space to discuss “land question” with several national and international participating experts.

These were semi-structured interviews that did not rely on any standardized formats and had a form of rather wide-ranging conversations. In case of beneficiaries of the land reform, questionnaires are derived from Comprehensive Food Security and Vulnerability Analysis. (CFSVA) Interview schedules for each informant was developed ahead of time. Also, in all interviews I wrote hand-written notes and sometimes recorded them on a digital voice recorder, as semi-structured approach often provided me an in-depth information that would otherwise been inaccessible.

None of my informants refused to be identified at all. Only few respondents provided information or shared their opinions of which they requested not to attribute to them.

### *2.2.3 Participant observation*

Using observation aids in triangulating data and permits a more detailed understanding of livelihoods and their modalities. It also provides valuable insights for understanding the underlying causes and reasons for inequalities identified during surveys. In other words, personal involvement with respondents in their environment provided me with additional information that would otherwise remain hidden. As such, participant observation allowed me to become known with how things are organized or prioritized, how people interrelate, and what are the cultural parameters. It also helped to discover the discrepancies between what leaders of the projects and other fellow workers say – and often believe- should happen and what actually does happen.

## **2.3 Case studies design**

### *2.3.1 Sampling*

Due to the rather small scope of the research, purposive sampling method was used in this study. I applied three main criteria for deciding on the sample individuals. Firstly, the existence of the status of beneficiary of land reform, particularly redistribution programme. Secondly, distinct business models of the projects in order to reflect diverse dynamic of the redistribution programme. And thirdly, the location of the project in the Western Cape province, where I was based with my hosting Cape Peninsula University of Technology (CPUT).

Upon arrival in Wellington, where one of CPUT campuses is situated, I contacted Jerry Aries, director of Land Reform Department of Western Cape Department of Agriculture. In the light of these criteria and available time off from work of beneficiaries, the representatives facilitated the visit of three following projects located in Western Cape province, characterized by different business models: *Enaleni*, *Meerlust Workers Trust* and *Rennie Farms*.

### *2.3.2 Questionnaire development*

Developing questionnaires is a central component of the survey design. Hence, finding of the right guidance allowing to capture the right information needed is an essential pre-step.



Analysis methodology of this study is primarily built on Comprehensive Food Security and Vulnerability Assessments (CFSVAs). CFSVAs describes the food security status of various segments of population over various parts of a country or region in a “normal situation”. It analyses the underlying courses of vulnerability, and recommends appropriate interventions to deal with the problems.

The reason for choosing CFSVAs as a key reference lies in the provision of location-, population-, and livelihood group-specific information that is analytically rigour, comprehensive and relevant to objectives of this thesis. CFSVAs are used by United Nations system agencies, the scope of the analysis in this study will be, however, significantly smaller.

### *2.3.3 Assessment of the perceived degree of success of the interrelationship between land reform programme and the right to food*

The interrelationship between the land reform programme and the objectives of the Right to food is addressed through the development of a single coefficient. This coefficient reflects the multidimensionality of these concepts and culminates in providing a single numerical value that serves as an indication of the perceived degree of success of the interrelationship - the *coefficient of achievement*. It is a composite indicator that incorporates the three pillars of the Right to Food concept and the vulnerability aspect of the Sustainable Rural Livelihood framework.

For each dimension a quantitative indicator based on the descriptions as expressed in policy documents has been created. These indicators are a combination of already existing indicators that have been tested and proved in practice as well as indicators that have been identified based on a good economic practice. In the process efforts will be made to illustrate that this sense of achievement (individually and cumulatively) is a compound value and not the sum of a separate set of values. More detailed explanation is provided in the 5.4.1 chapter.

### 3. BACKGROUND

#### 3.1 From the food security to the right to food

##### 3.1.1 Food security

The principal approach towards the right to food both in South Africa and internationally is based on the concept of food security that addresses issues of global hunger and poverty since the 1970s. This concept has been continuously evolving over time, reflecting the gradual recognition of the complexities of the technical and policy issues.

The core of the nowadays widely accepted definition of food security is that availability is a necessary, however, not a sufficient condition for ensuring a food security of a society or individuals. As Nobel laureate Amartya Sen pointed out in 1981 “*Starvation is the characteristic of some people not having enough food to eat. It is not the characteristic of there being not enough food to eat.*” (Sen, 1983). In a country with a modern agricultural production and/or means to import food, such as South Africa, where resources are available, food security is mainly a function of entitlements and capabilities. (SPII, 20015)

The South African government in its National Food and Nutrition Security Policy follows Food and Agricultural Organization (FAO) and defines food security as follows:

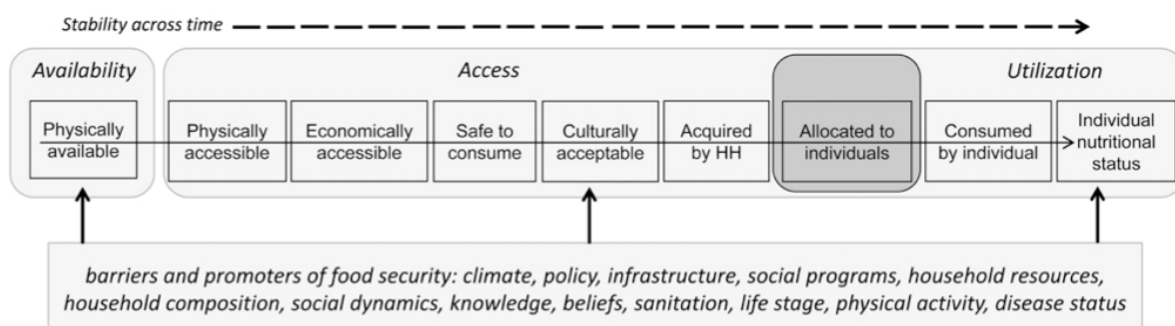
Physical, social and economic access to sufficient, safe, and nutritious food by all South Africans at all times to meet their dietary and food preferences for an active and healthy life.

Absence of any of these conditions leads to food insecurity. Generally, there are two types of food insecurity. *Chronic food insecurity* is long term or persistent and results from extended periods of poverty, lack of assets and inadequate access to productive or financial resources. *Transitory food insecurity* is short-term and temporary, occurring as a sudden inability to produce or access enough of food to achieve a good nutritional status and it is caused by short-term shocks. *Seasonal food insecurity* falls between these two types, occurring when there is a cyclical pattern of inadequate availability and access to food. (EC-FAO, 2008)

Food security is based on three determinants recognized by WHO: food availability, food access, and food use. The FAO adds a fourth pillar: the stability of the three mentioned dimensions over time.

- **Food availability:** refers to the physical existence of sufficient quantities of food of appropriate quality. It addresses the “supply side” through production, distribution and exchange. Availability is not of a significant concern in the context of South Africa. In terms of both own production and import, there is a sufficient food available at the national level.
- **Food access:** means having resources (entitlements) for acquiring adequate food. Such entitlements refer to either *direct access* or *economic access*. (Gibson, 2012) Access, hence, focuses on households’ ability to both produce and, importantly within the South African context, purchase food.
- **Utilization:** appropriate use of food based on knowledge of basic nutrition and care, as well as adequate water and sanitation.
- **Stability:** refers to ability to have an access to adequate food *at all times*. Food stability can be lost and gained as a result of sudden shocks or cyclical events. Special attention should be therefore given to vulnerability of all three foregoing dimensions. (FAO, 2006).

Figure 1 demonstrates the conceptual pathway linking the loci of food security within the availability, access and utilization domains. Barriers and promoters of food security are described below the figure. This heuristic, however, simplifies complexity of the concept, i.e. cultural acceptability may be seen as preceding: physical and economic access are interrelated; intra-household food allocation is associated with individual rather than household food access, hence the domain of access and utilization is straddled. This complexity portrays one of the most important challenges in defining and measuring food security. (Jones, 2013)



**Figure 1: The loci within the food security conceptual pathway by domain of food security**

Source: Jones et al. 2013

Since food security represents an intersectional concept, cutting across areas such as inequality, unemployment, climate change, globalization and commodity speculation, ownership of productive resources, and urbanization, among others, several difficulties arise. Among them also a problem with precise definition of the content and responsibilities regarding the right to food based on which rights-holders are able to make a claim against. Additionally, no single indicator can measure the prevalence or extent of food insecurity. Generally, the objective of food security indicators and measures is to capture some or all of the main dimensions. (FAO, 2005)

### *3.1.2 The right to food*

#### *The normative concept*

Having recognized the continuing challenges in the fight against hunger, the perspective on food security and nutrition shifted from technical perspective to one based on human rights. By using right-to-food lens, food security is not a matter of policy discretion but a legal obligation, making the future of food security more secure. (FAO, 2009) The notions of Government as the ultimate duty bearer and the people as holders of human rights were introduced.

The right to food is a human right well-established under international law. In General Comment 12, the Committee on Economic, Social and Cultural Rights (CESCR) defines the right to food as follows:

The right to adequate food is realized when every man, woman and child, alone or in community with others, has the physical and economic access at all times to adequate food or means for its procurement.

The definition was further developed by the UN special Rapporteur on the Right to food, establishing that:

The right to have regular, permanent and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensure a physical and mental, individual and collective, fulfilling and dignified life free of fear.(ZIEGLER, 2008)

The right to food is fundamentally based on three key pillars, indicating that the concept of the right to food builds on the concept of food security:

- **Availability:** refers to possibilities for feeding oneself either directly from productive land or other natural resources, or through well functioning distribution, processing and market systems.
- **Accessibility:** the pillar encompasses both *economic* and *physical* accessibility:
  - *Economic accessibility* means that food must be affordable. Individuals should be able to afford food for an adequate diet without compromising on any other basic needs.
  - *Physical accessibility* implies that adequate food is accessible to everyone, including vulnerable individuals and groups, people in remote areas and to victims of armed conflicts or natural disasters, as well as to prisoners.
- **Adequacy:** food must satisfy *dietary needs*, taking into account the individual's age, living conditions, health, occupation, sex, etc. Food should be *safe* for human consumption and *culturally acceptable*. (OHCHR, 2010)

The right to food is not the right to hand out free food, government is not obliged to hand out free food to anyone who needs it. The right to food is not a right to be fed, but primarily the right to feed oneself in dignity. There is also a distinction between the right to adequate food and the right to be free from hunger. The right to food goes beyond freedom from hunger as food must be in “a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture”. (FAO, 2008)

The right to food is also not the same as food security or food sovereignty. Although the legal concept of right to food overlaps with and reshapes the concept of food security and is linked to food sovereignty. A central pillar of food sovereignty is peoples' right to freely define food and agricultural policies that are best suited to them - irrespective of constraints deriving from the international trade system. Right to food, in the contrary, does not favour particular food security policies. (OHCHR, 2010)

## ***Legal sources***

### *International law*

- *The Universal Declaration of Human Rights* (Article 25) in 1948 officially recognized the right to food for the first time as a part of the right to an adequate standard of living.
- *International Covenant on Economic, Social and Cultural Rights* (Article 11) recognizes “the right of everyone to an adequate standard of living for himself and his family, including adequate food [...]” (Art. 11(1)); and “the fundamental right of everyone to be free from hunger” (Art. 11(2)). The meaning was in 1999 refined by the UN Committee on Economic, Social and Cultural Rights (CESCR) in its *General Comment No. 12*. While not binding per se, General Comments constitute the authoritative interpretation of legally binding treaty provisions, issued by the UN body responsible for monitoring the application of the treaty. (FAO, 2008)
- *Optional Protocol to the International Covenant on Economic, Social and Cultural Rights*: protocol from 2009 makes the right to food justiciable at the international level.
- *Convention on the Elimination of all Forms of Discrimination Against Women* (1979), *Convention on the Rights of the Child* (1989) are examples specific international instruments affirming the right to food.
- *African Charter on the Rights and Welfare of the Child* (1990) and the *Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa* (2003) represent the example of regional protection of the right to food.
- The right to food is also protected under humanitarian law in terms of ensuring the access of civilians and prisoners of war to food and water during armed conflicts and prohibiting the starvation as a method of warfare.
- *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security* (hereinafter: Right to Food Guidelines) represent non-legally binding international right to food instrument that is used as practical tool helping with implementation of the progressive realization of the right to adequate food in the context of national food security.(FAO, 2005)

### *Constitutional law*

The right to food is binding on States that have ratified the relevant treaty. However, most international treaties are considered non self-executing, which means that without incorporating the right to food in the national legislation, they cannot be given effect. This may be possible through incorporation into the constitution, framework laws and sectoral laws. Even though article 2.1 of ICESCR explains that States have the obligation of ‘the adoption of legislative measures’, the implementation strategies of States is, nonetheless, given the flexibility in determining how best to implement treaty obligations. (FAO, 2009)

### *Framework law*

Framework law refers to a legislative technique that is focused on cross-sectoral issues. Compared to constitutional provisions, framework laws are more specific, addressing the right to food further and therefore makes it operational in practice. The CESCR recommends the adoption of framework law as a major instrument in the implementation of a national strategy for the right to food. (CESCR, 1999)

### *State obligations*

By signing the International Covenant on Economic, Social and Cultural Rights states agreed to take steps to the maximum of their available resources to achieve *progressively* the full realization of the right to adequate food. This imposes the obligation to move as expeditiously as possible towards the goal. They also acknowledge the need for international cooperation and assistance. CESCR in the General Comment no. 12 describes three main categories of obligations:

- **Respect:** government is required to refrain from taking measures that affect access to food negatively. State is obliged not to inappropriately hinder the exercise of lawful activities and not to arbitrarily undermine existing access to food.
- **Protect:** State is required to take measures to ensure that third parties (e.g. individuals, enterprises) do not deprive right-holders of their access to food. State could be held liable for violations of the right to food committed by third parties where it shows “lack of due diligence to prevent the violation or to respond to it” (ZIEGLER, 2008).

- ***Fulfill***: this obligation incorporates both an obligation to *facilitate* and an obligation to *provide*.
  - *Facilitate*: States must be proactive in strengthening people’s access to and use of resources and means of ensuring their livelihoods, including food security.
  - *Provide*: States are required to provide food whenever individuals or groups are unable to enjoy the right to adequate food for reasons beyond their control. (FAO, 2009)

While aforementioned rights under the Covenant are to be achieved progressively, there exist minimum core obligations that are of immediate effect. Under the article 2(2) of the ICESCR, governments agreed to guarantee that the right to food will be exercised without discrimination based on race, colour, sex, language, age, religion, political or other opinion, national or social origin, property, birth or other status. The principle of non-discrimination stands for the prime principle of international law. (ICESCR, 1966)

### ***Implementation***

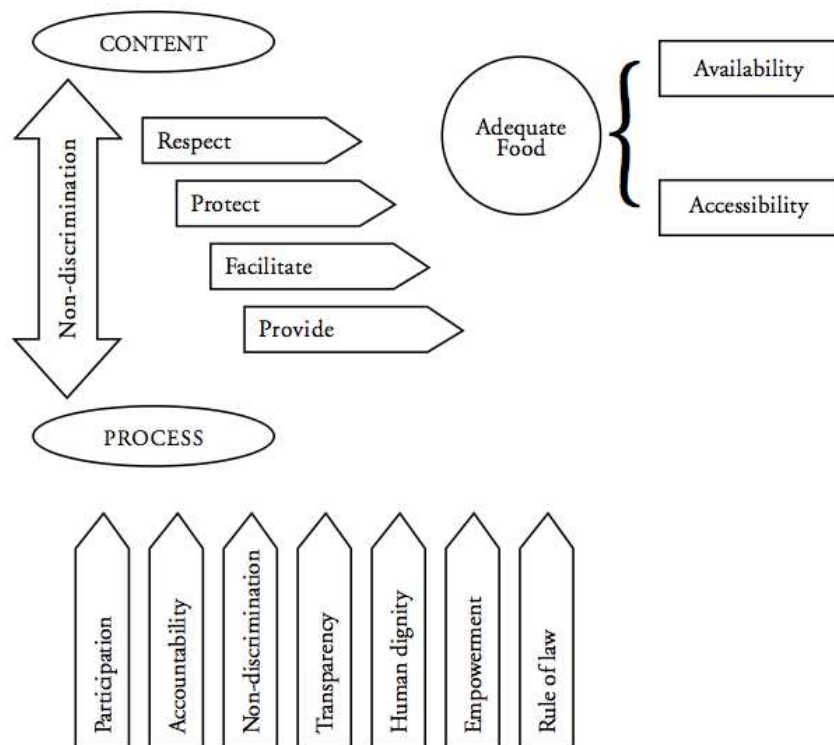
In order to ensure food and nutrition security, several guidance and comments providing some minimum standards and recommendations for such a strategy were issued by the bodies that are mandated to monitor and enforce relevant treaties as well as by other authoritative sources such as FAO, the UN Special Rapporteur on the Right to Food, the UN Working Group on the SDGs etc.

The strategy requires decision-making processes (from policy formulation to law-making down to administrative acts) to comply with seven core human rights PANTHER principles developed by FAO: participation, accountability, non-discrimination, transparency, human dignity, empowerment and rule of law. The strategy should be supported by framework legislation and be based on clearly defined, measurable objectives, the identification of available resources and appropriate institutional mechanism for implementation, including accountability for delivery. (SPII, 2005)

The concrete strategy is, however, not dictated or overly influenced by remote international bodies or foreign countries. Instead, States themselves should determine how best to implement the right to food strategies. Figure 2 portrays the pathway of right to food from its principles to practice. Additionally, apart from the government, active involvement of civil



society and NGOs is also crucial, particularly in terms of advocacy and information. (FAO, 2016)



**Figure 2: The right to food: from principles to practice**

Source: FAO (2009)

### 3.2 Situation in South Africa

#### 3.2.1 “The Right to food”

##### *Constitutional recognitions*

In South Africa, everyone should be able without shame and unreasonable obstacles, to participate in everyday activities. Article 1(a) states that the Republic of South Africa is founded on following values: “*Human dignity, the achievement of equality and the advancement of human rights and freedoms*”, reflecting that the protection of human rights is a corestone of state policy of the Republic of South Africa.

In the context of the right to food, the Constitution of the Republic of South Africa explicitly guarantees the right to adequate food since 1996. It is one of only 23 countries that explicitly

recognizes the right to food in a constitution, and one of only two with provisions that are justiciable (can be claimed by rights-holders and enforced by courts). (FAO, 2011)

Article 27 (1)(b) recognizes that “*everyone has the right to have access to sufficient food and water*”. This obligation is extended in section 27(2), according to which “*the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of each of these rights.*” Article 28(1)(c) states that “*every child has the right to basic nutrition, shelter, basic health care services and social services.*” Section 35(2)(e) of the Constitution guarantees the right to adequate food for prisoners and detainees. (The Constitution of the Republic of South Africa, 1996)

In order to monitor state’s progressive realization of economic and social rights, the *South African Human Rights Commission* (SAHRC) was established as an independent and impartial body set up by Constitution. Apart from monitoring, it is mandated to raise an awareness of human rights among the population, make recommendations to organs of state on the implementation of human right, investigate complaints of violations and seek appropriate redress. (FAO, 2006) The commission has contributed, among other initiatives, to a development of a legislative framework on the right to food.

Nonetheless, despite the overarching framework and the ‘supreme law’ that Constitution provides, the content of these rights is not well defined. A number of crucial issues remain unaddressed, such as what measures government should take, how the access to socio-economic rights should be financed and the timeframes within which they must be realized.

### ***International and regional instruments***

South Africa has ratified and thus legally bound itself to several international treaties. Most importantly, the country has become a State party to the International Covenant on Economic, Social and Cultural Rights in 2015 by way of ratification, which means that government has the obligation to respect, protect and fulfill people’s right to food. Further international instruments include:

- Universal Declaration of Human Rights
- Convention on the Elimination of all forms of Discrimination Against Women (ratification: 1995)

- Convention on the Rights of the Child (ratification: 1995)
- Convention on the Rights of Persons with Disabilities (ratification: 2007)
- Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (status: ratification delayed)
- African Charter on Human and Peoples' Rights (ratified 1996)
- African Charter on Human and Peoples' Rights on the Rights of Women in Africa (ratified in 2005)
- African Charter on the Rights and Welfare of the Child (ratified: 2000) (FAO, 2016)

### 3.2.2 *The right to food related policy*

Since 1994, every two or three years there has been launched one new initiative relevant to the right to food. However, in spite of food security being prioritized in government rhetoric, the required development of legislation, appropriate policy, and implementable programmes has fallen far short. Having looked into the development of policy initiatives, Studies in Poverty and Inequality Institute (SPII) has drawn several conclusions. Firstly, despite the evidence that food security in South Africa is largely about the ability of households to purchase food, government still equates food security with national food security, agricultural output in particular, rather than with household food security. Secondly, there is the general lack of legislation providing the right to food. Despite the inter-sectional nature of food security, legislation has in general been narrowly linked to the specific departments. (SPII, 2015) Hence, while food security has featured in numerous policies across different government departments, actions and programmes have not been effectively coordinated in order to reach the goals. Responsibilities towards the right to food have been fragmented apart from two policies:

- ***Integrated Food Security Strategy (IFSS)*** launched in 2002 represents first broad, interdepartmental initiative with a broad scope focus on food security. Although it correctly identified many of the crucial aspects of food security, it was criticized for the principal focus on availability rather than access to food, reflecting the disjuncture between IFSS and the reality and complexity of food security in South Africa. (Drimie, 2010)
- ***National Policy on Food and Nutrition Security (NPFNS)*** was released in 2013 as a successor to the IFSS, though still in a draft form. It followed the National

Development Plan (NDP) identification of food insecurity as a core component of poverty and inequality. NPFNS involves several promising developments, such as framework law on the right to food. Nevertheless, the policy still entails several shortcomings, such as rural bias with land reform and agriculture getting more attention than urban food insecurity. (SPII, 2015)

Table nr. 1 below provides the list of main programmes and policies categorized based on their food security domain. The success of these policies varies. It also explains whether they are constrained directly by budgetary constraints (programmes) or not (policies).

	<b>PROGRAMMES</b>	<b>POLICIES</b>
<b>Availability</b>	<ul style="list-style-type: none"> <li>• Agricultural support programmes: <u>CASP</u>, <u>RECAP</u>, <u>Fetsa</u>, <u>Tlala</u></li> <li>• Land Reform</li> <li>• Agricultural subsidies</li> <li>• Transport infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• Trade agreements</li> <li>• Macroeconomic stability (currency and balance of payments)</li> <li>• Agricultural policy (focus on staples, increased production)</li> <li>• Environmental protection and sustainability</li> <li>• Protection of water supply</li> </ul>
<b>Accessibility</b>	<ul style="list-style-type: none"> <li>• Social security grants</li> <li>• National School Nutrition Programme</li> <li>• Community Nutrition Development Centres</li> <li>• Public transport infrastructure</li> <li>• Public Works Programmes</li> <li>• Assisting subsistence farmers and funding food gardens</li> </ul>	<ul style="list-style-type: none"> <li>• VAT zero-rating</li> <li>• Inflation targeting</li> <li>• Town planning</li> <li>• Monitoring food prices</li> <li>• Employment creation</li> <li>• Gender equity policies</li> <li>• BBBEE</li> <li>• Policies around informal traders</li> <li>• Getting food retailers into underserved areas</li> <li>• Minimum-wage policy</li> </ul>
<b>Use</b>	<ul style="list-style-type: none"> <li>• Integrated Nutrition Programme</li> <li>• Healthcare</li> <li>• Basic services (water, sanitation, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>• Food fortification policy</li> <li>• Food safety regulations</li> <li>• Nutrition education</li> <li>• Promoting dietary diversity</li> </ul>
<b>Stability</b>	<ul style="list-style-type: none"> <li>• Emergency relief (food parcels from SASSA)</li> </ul>	<ul style="list-style-type: none"> <li>• To be developed.</li> </ul>

**Table 1: Programmes and policies relevant to the right to food**

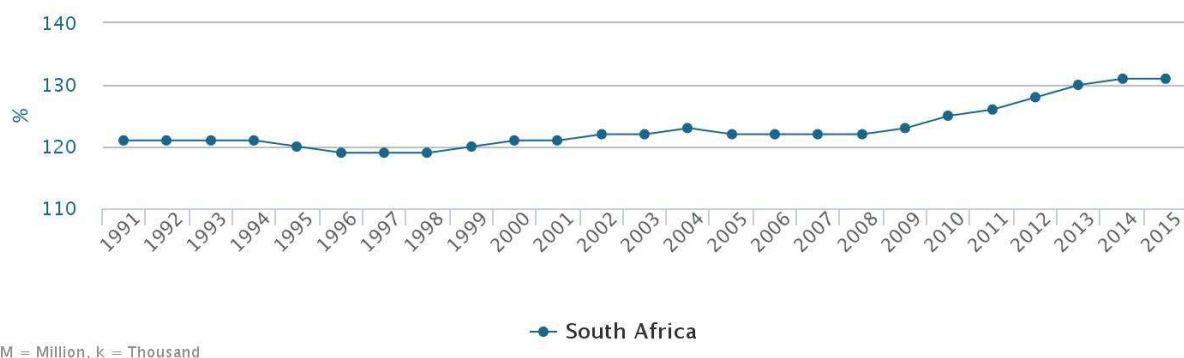
Source: SPII (2015)

### 3.2.3 Food security situation in South Africa

A review of various household surveys conducted in South Africa has shown that there is no regularised way of monitoring food security. Different surveys focus on different dimensions of food security at different levels with dissimilar frequency, using different methodologies, samples and sampling techniques, resulting eventually in different outputs. Drawing conclusions about the overall food security situation in South Africa and its development over time, hence, is rather difficult task.

It might sound unlikely that South Africa would appear at the top agenda of international dialogue on food security. There has been seen several impressive economic and political advances since 1994. As mentioned in previous chapters, right to adequate food is explicitly entrenched in its innovative constitution, directly applicable via several international agreements and as evidenced by the number of programmes, there is a considerable political commitment in addressing national food security. The country is furthermore a net exporter of agricultural commodities, there are no tight foreign exchange constraints and it is not a landlocked country. (IPCIG, 2011)

In terms of food availability, South Africa is largely considered to be a food ‘secure’ nation, even when taking into consideration its growing population. The country produces enough staple foods and it is able to import food that is needed to meet the basic nutritional requirements of its population. (SPII, 2015) Figure 3 portrays continual improvement in the national food supply in terms of calories measured by Average dietary supply adequacy.



**Figure 3: Average dietary supply adequacy (%)**

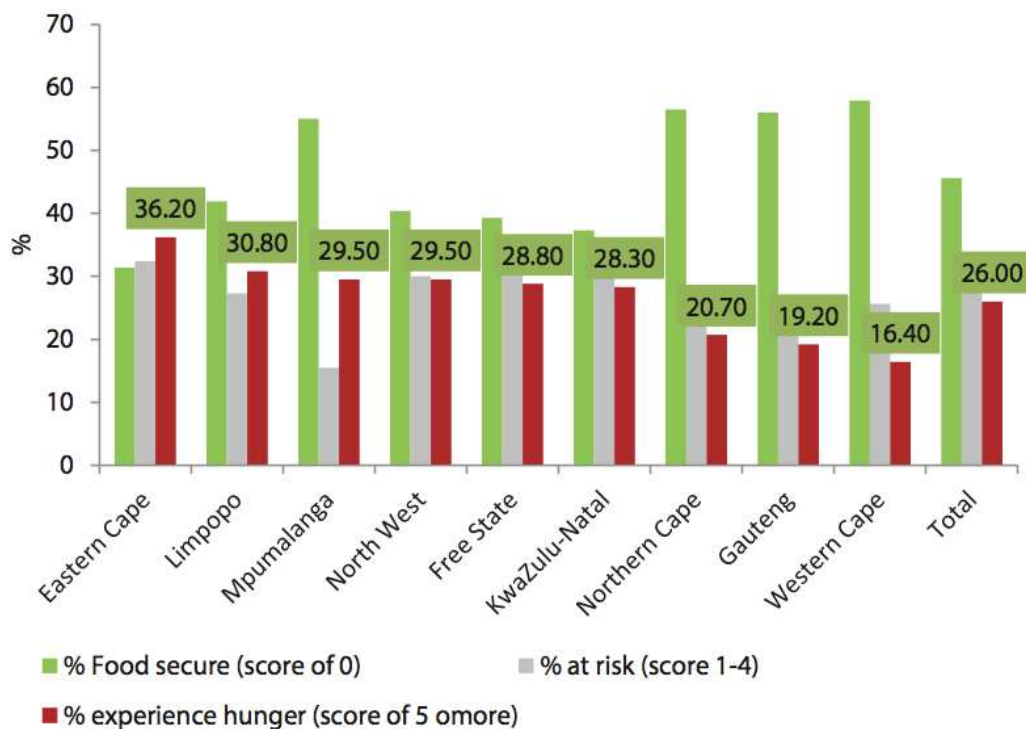
Source: FAOSTAT (2015)

However, the national supply of food can hardly reflect the real households' situation of food security within the whole country. Against this backdrop of positive macro trends and Bill of Rights promises, socio-economic reality of many of South Africans remains limiting people's right to food. Level of poverty remains unacceptably high compared to other middle-income countries. When applying upper-bound poverty line (R753 per person per month in 2014 prices), 23-million people (45.5% of the population) in 2011 were not able to afford a minimum of essential goods and foodstuffs. (StatSa, 2014) While the poverty situation is improving, inequality in society remains a serious problem. Gini coefficient of 63.4 (2011) makes South Africa one of the most unequal societies in the world. (WB, 2016) Specific challenge represents HIV/AIDS, with the alarming prevalence rate around 11.2%. (StatSa, 2015) HIV/AIDS contributes to food insecurity and, in turn, food insecurity makes HIV/AIDS more deadly.

There are certain segments of the society that remain highly vulnerable to food insecurity. According to the 2012 SANHANES comprehensive study, only 45.6% of South African population were food secure, while 26% were experiencing hunger and 28.3% were at risk of hunger. SANHANES furthermore found that urban informal communities (36.1%) and people living in rural informal areas (32.8%) are at the highest prevalence of being at risk of hunger, compared to 19% for urban formal areas. The unemployed urban poor, the landless rural poor and unemployed youth particularly are vulnerable to food insecurity. Stark racial disparities persist, the highest prevalence of food insecurity was found for Black African group (30.3%). By province, as shown in Figure 4, the prevalence of hunger was the lowest in Western Cape (16.4%) and Gauteng (19.2%). Eastern Cape and Limpopo were the only two provinces with hunger prevalence higher than 30%. Noticeably, findings point out at South Africa's situation of "hunger and malnutrition next to the granary".

Data from SANHANES also pointed out at the widespread problem of under nutrition, particularly among children. It is estimated that 26.5% children between 1-3 years were affected by stunting in 2012, compared to 23.4% in 2005. Level of extreme stunting is increasing as well, from 6.4% in 2005 to 9.5% in 2012. Noteworthy is also a fact that the particular category of 1-3 year olds exhibits the highest percentage. (NFCS, 1999) Notwithstanding, 1999 The National Food Consumption Survey (NFCS) data show that 17% of children in the age of 1-9 were recorded as overweight and obese. The 2012 SANHANES found that the level of underweight is generally higher for males (12.8%) than females (4.2%) and level of overweight is higher among females (20.1%) than males (24.8%).

(SANHANES, 2012) Data reflect the global trend of overweight and obesity in South Africa and underline a trap of both present extremes - under- and over-nutrition.

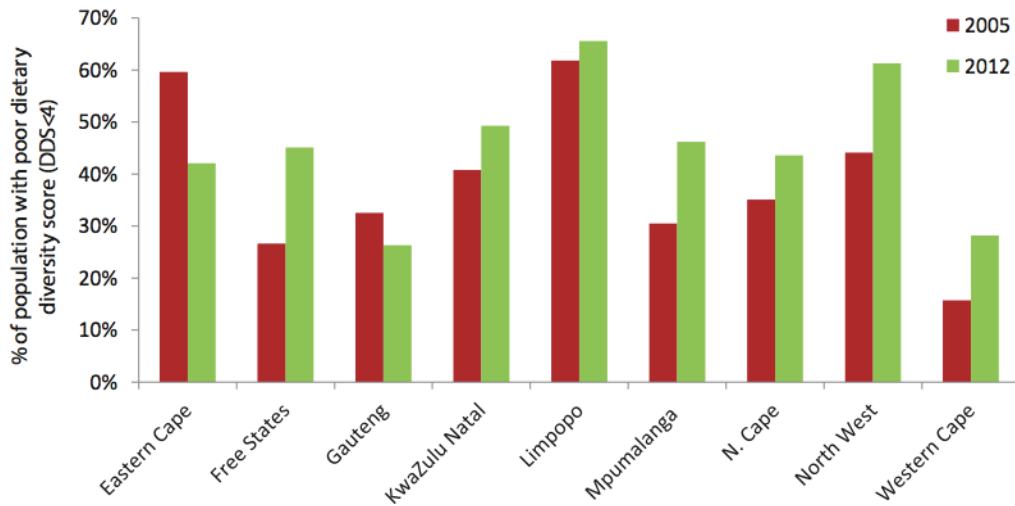


**Figure 4: Food security by province**

Source: SANHANES (2012), created by SPII (2015)

As food security in South Africa is largely about the ability of households to purchase food, affordability and vulnerability aspects come to the focus. Food security has not been stable in South Africa, with spikes in food prices – most recently around 2001 and 2008 – having significant impacts on household food access.(SPII, 2015)

Furthermore, the cost and availability of food is directly linked to the regularity and quality of food intake. As food prices increase, it is becoming exceedingly difficult to afford adequate food. It has been shown that people in South Africa do not have sufficient variety in their diet. Overall, there is a high prevalence of micronutrient deficiencies of mainly Vitamin A (about 44% of children under the age of 5 reported vitamin A deficiency in 2012), iron and zinc. This ‘hidden hunger’ is caused by insufficient intake of fruit, vegetables and animal-source foods and will remain a struggle, unless the dimension of ‘access’ is addressed together with wide recognition of need of more variety in the diet. (Health24, 2015). Figure 5 shows significant provincial differences in Dietary Diversity Score (DDS) and portrays the worsening of the situation in most of provinces over time.



**Figure 5: Percentage of population with poor DDS<4**

Source: SANHANES (2012), created by SPII (2015)

### 3.3 Land and land reform in South Africa

History of South Africa saw extensive land dispossession and undermining of agriculture of majority black population coupled with spatial and racial segregation. The *1913 Natives Land Act* is widely recognised as a defining moment. The Act provided the legislative basis for subsequent efforts to divide the country into a white core encompassing 87% of the land and most of the wealth, and a black periphery in the remaining 13%. The consequences of this radical blueprint for white domination and black exclusion still reverberate across South Africa and the wider region today. (Satgé, 2013)

#### 3.3.1 Land distribution

The total area of South Africa is 122,081,300 hectares. Currently there are around 40,000 farming units covering 67% of the land that are held as private property and used for *commercial agricultural*. Most farmers are white but small numbers of blacks with access to capital are acquiring land through the market independently of land reform.

Another 15% of the land is located in densely settled communal areas of former 'homelands' or *communal areas* that are mostly state-owned. The total area is 17.2 million hectares and agricultural land covers 14.5 million hectares. Predominantly black households reside here under various forms of customary tenure. The location of these communal areas is



historically determined, varying across the whole country from 0.05% in Northern and Western Cape to 36% in Kwazulu-Natal. (PLAAS, 2013)

*Other state land* accounts 10% of the total land and its purpose is mostly a common good. Vast majority (7%) represent conservation areas. Remaining 8% of the total land includes urban areas, where currently 64% of the population resides. (WB, 2016) Eight main metropolitan cities covers only 2% of the total land, nonetheless, they represent the centers of national wealth with 37% of the total population concentrated here. (PLAAS, 2013)

### 3.3.2 Agriculture in South Africa

Biophysical features of South Africa represent a significant determinant for the agricultural potential. Country lies in Southern Hemisphere's and has seven climatic regions, from Mediterranean to subtropical to semi-desert. Due to the aridity of the land, only 16.7 million hectares (13.7%) is arable, with only 3% considered as truly fertile land. Most of the land (69%) is therefore used for grazing and extensive livestock production. (Benhin, 2006) The most important factor limiting agricultural production is availability of water. Around 1.3 million hectares land (10% of arable land) is irrigated and around 50% of South Africa's water is used for agriculture. (UNEP, 2000)

The main grain crops grown comprise of maize, wheat, oats, sorghum and barley; the main oilseed crops are soya beans, canola, sunflowers and groundnuts. They main horticultural crops are wine grapes, deciduous fruit, sub-tropical fruit and vegetables; also sugar is grown extensively. Regarding livestock, the key products are beef, dairy products, lamb and mutton, wool, goat meat, poultry and pork. (GCIS, 2015) In 2008, South Africa shifted from low-value basic food crops to high-value export crops, which made the country a net importer of food in terms of volume for the first time. While it may be on one hand regarded as a negative aspect with regards to national food security, on the other hand it is clearly positive in terms of generating foreign exchange. (WWF, 2009)

Primary agriculture sector contributes about 3% to the country's GDP. If the entire value chain of agriculture is taken into account, its contribution to GDP reaches about 12%. Farming remains, however, vitally important to the economy, even though the number of people employed in agriculture has fallen steadily from a level of between 1.6 and 1.8 million workers in 1960s to 860,000 people employed in 2015. (BFAP, 2015) On a household level, about 2.9 million households (20%) of South Africa are involved in agriculture. mainly in

subsistence and smallholder farming. Overall, it is estimated that around 8.5 million people are directly or indirectly dependent on agriculture for their employment and income.(StatSa, 2013)

### *3.3.3 Agrarian structure*

South Africa's agrarian structure is 'dualistic' where large-scale capital-intensive commercial farmers coexist with subordinate 'informal' labour intensive small-scale farmers. Commercial farms are dominating production and distribution, producing 90-95% of marketed output, with some products (e.g. wine or fruit) intended mainly for export. Farms are mostly large, mechanized, regulated with a strong link to global markets. Today there are under 40,000 farming units covering 67% of the country, compared to 1990s when 60,000 white-owned farms covered about 70% of the total area. In 2002 around 5% of enterprises earned half of the gross farm income, with the annual net farm income at least R4 million each. Noticeably, commercial farming is increasingly concentrated and differentiated. (Cousins, 2014)

Small-scale farms prevail in former 'black homelands' that used to be rural areas demarcated for occupation and use by Africans and some 'coloured' people. 'Homelands' remained home to about 4 million producers ranging from smallholder to medium-scale and from semi-subsistence to commercial. The subordinate 'informal' small-scale system is unregulated, low-input and labour intensive. (OECD, 2006) However, even though almost half of the African population still resides in rural areas, most of the people are engaged in agriculture on a very small scale, if at all. People heavily depend on off-farm activities, which include migration to cities, local wage employment, and welfare grants for their livelihoods. (Hall, 2004)

### *3.3.4 Origins of the land reform*

Land reform was introduced into South Africa in 1994 in order to rebalance the highly racially-skewed distribution of access that was a consequence of violent dispossession and apartheid. The constitutional clause on property guaranteed the rights of existing owners and protects them from arbitrary deprivation by the state, but at the same time allows expropriation by the state in pursuit of 'the nation's interest'.

World Bank advisers helped to convince the ANC to adopt a market-oriented approach to land redistribution and to liberalize the agricultural sector, arguing that this would promote

both efficiency and equity. Based on the recommendation, ANC committed itself to redistribute 30% of agricultural land to the poor and landless over a period of five years (26 million hectares), which would mean 6% of agricultural land transacted each year. Nonetheless, two decades later, land reform has fallen far short of both official government targets and the public expectations. In 1999, less than 1% of commercial farmland had been transferred through all three components of land reform combined; in 2004 it was only 3% of the land that had been made available to black South Africans; and by 2013 about 6.5% had been transferred. (Hall, 2014)

The framework for land reform policy was set out in the “*White Paper on South African Land Policy*”, released in 1997 by the Department of Land Affairs (DLA). Land reform is organized under three familiar components with their differing aims and modalities: (WB, 2010)

1. Land restitution
2. Land redistribution
3. Tenure reform

The state’s land reform program thus aims to achieve twin goals: to redress injustice and to promote development. All three pillars of land reform are mandated by Constitution, which does not only give the state the exclusive responsibility to carry the land reform, state is even obliged to do so, even by the means of expropriation in pursuit of ‘the nation’s interest’.

### *3.3.5 Land restitution*

Land restitution provides a relief for those, who lost their land through racially discriminatory laws of and practices after 1913 or for their descendants. It can take the form of restoration of the land under claim, grant of alternative land, or financial compensation. Land claims are made against the state, not individual property owners. All claims must be validated and a sale price is then negotiated with the current owner. Claims to both urban and rural can be lodged, individual as well as community-based.

By 2013, overall 77,334 land claims had been settled, and 1.44 million hectares had been restored at a cost of around R10 billion, with another R6 billion spent on cash compensations. (Nkwinti, 2013) Nonetheless, only 59,758 claims had been ‘finalized’. Most of the claims are urban ones settled through substantial payouts of cash compensation, while the remaining

bulk of rural community claims are still to be dealt with – many of which are quite intractable. In spite of this, on the eve of the centenary commemorations of the promulgation of the *Natives Land Act* of 1913, president Jacob Zuma assented to the *Restitution of Land Rights Amendment Act, 2014*, which extended the period for lodging a land claim for five other years. Additionally, amendment bill proposed to restrict actual land restoration to cases judged to be feasible in terms of ‘cost’ and where claimants can demonstrate an ‘ability to use the land productively’. It could not only mean raising of unrealistic expectations and derailing the finalization and settlement of existing claims, but also precluding the large-scale transfer of high-value farmland to poor communities. (Hall, 2014)

Despite several successful cases, this number is outmatched by the amount of claims that have effectively failed to generate outputs to certain deadline. Major challenges include: high cost of rural claims, competition of claims to the same land, difficulties of validation, a model assuming that land intended for claimant should be the same as the one in the hands of previous owner, conflicts within the large groups of claimants, vandalism of infrastructure in the period between recognition of the claim and new settlement, insufficient post-settlement support and under-capitalization. (Cousins, 2014)

### 3.3.6 *Land redistribution*

Land redistribution aims to address the unequal and racially skewed distribution of land and to improve the livelihoods and quality of life of the landless poor, labour tenants, farm workers and emerging farmers. (DLA, 1997) It is one of the government’s main transformatory programmes and currently one of its top five priority areas. Unlike restitution, redistribution is not right-based. People interested in acquisition of the land are required to apply for land acquisition grants. Market-based approach has become a cornerstone of land redistribution policy, particularly the concept of ‘*willing buyer-willing seller*’ (WSWB). Under the WSWB principle, land typically is acquired from landowners willing to sell their property by a willing buyer (state) and then redistributed to groups or individuals. The core element of WSWB is that the land transfer is a voluntary transaction. (Saturnino, 2011) As shown in the Table 2 below, there are three broad phases of redistribution, reflecting changing policy agendas and ideological positions of the ANC.

	<b>Acquisition</b>	<b>Tenure</b>	<b>Class agenda</b>	<b>Land use</b>
<b>SLAG (1995-2000)</b>	Market-based purchase	Transfer of title	Means-tested (ie. pro-poor)	Multiple livelihoods
<b>LRAD (2000-2010)</b>	Market-based purchase	Transfer of title	Not means-tested (unclear)	Agriculture only
<b>PLAS (2006-now)</b>	Market-based purchase	No transfer of title	Not means-tested (unclear)	Agriculture only

**Table 2.: Programmes and policies relevant to the food security**

Source: HALL (2015)

### ***Settlement/Land Acquisition Grant (SLAG)***

SLAG was the first mechanism for redistribution and is generally described as targeting the “poorest of the poor”. Households with an income below R1,500 a month were eligible to access a grant of R16,000 with which they could buy land and settle on it. Acquisitions were mostly made to the whole farms, which were rarely subdivided. As the level of grants was insufficient when compared to the price of the land, large groups of beneficiaries thus pooled their grants. The model was widely criticized for the complex group dynamics that resulted due to reproduced overcrowding, and because it did not link the acquisition of land to support and resources to enable people to generate a livelihood off it. (Hall, 2004)

### ***Land Redistribution for Agricultural Development (LRAD)***

As a response to criticism, SLAG was in 2001 replaced by LRAD. LRAD meant a shift from welfare-type group project characterizing the first phase to commercially oriented agriculture, claiming to cater to other groups as well. Individual and household beneficiaries were emphasized, with the model was based on entrepreneurialism with limited additional support. It is also the era of ‘narrow-based’ black economic empowerment (BEE). (PLAAS, 2013)

A new grant system required applicants to make a contribution ranging from the minimum R5,000 to R400,000 and, depending on the level of this contribution, they were eligible for a matching grant of between R20,000 and R100 000, on a sliding scale. (Ntsebeza, Hall, 2010) The approval of the grants also depends on the viability of the proposed project, which takes into account total project costs and project profitability. In the communal areas, LRAD saw

the passing of the contentious Communal Land Rights Act (CLRA), which essentially consolidated the power of traditional authorities over their subjects, with traditional authorities to hold land on behalf of ‘communities’.

Within LRAD, the number of projects, beneficiaries and transferred hectares increased, even though this number never exceeded 250,000 hectares per year, or 10% of the target. (Cousins, 2014) In spite of this, LRAD encountered several principal challenges, such as limitations in availability of land in highly-demanded areas, appropriate to the needs of applicants; reasonable level of purchase prices; financial and practical obstacles to the poor accessing the programme; limited post-transfer support in the form of extension services, training, infrastructure development and access to credit and markets; and missing linkage with a wider agrarian reform to restructure the rural economy.

### ***Proactive Land Acquisition Strategy (PLAS)***

PLAS has become the only route through which the state is currently redistributing land. Key mechanism is based on state’s purchase of land, allocating it to the applicants and issuing three- to five-year leasehold agreement with the opportunity of eventual transfer of the ownership to beneficiaries. Market-based approach is retained, however, focus is redirected from *beneficiary-driven redistribution* to the *state-driven proactive land acquisition*.

Central components of PLAS are privatization of implementation and the ‘production discipline’, on which the second transfer depends on. This principle enables the government to remove and replace beneficiaries in case of failed farming. (DLA, 2006) Achievement of desired performance is, however, constrained by several factors, such as difficulties to catch up with commercial model of farming in hostile economic environment with insufficient support, a problem to secure bank loans for investment into farms based on the three-year leases, or little motivation to expand production under such a uncertain conditions. The principle also excludes those people, who cannot afford full-time farming as they livelihood depends on the contribution from other off-farm activities. (Hall, 2014)

While PLAS has solved the question *how* should be the land acquired, the criteria for *what* land to buy and *for whom* remain vague. As PLAS framework further explains, the state can buy the land *before or after beneficiaries have been identified and quantified*. “As target group are considered all ‘black people (Africans, Coloureds and Indians), that live in communal areas and black people with the necessary farming skills in urban areas, people

living under insecure tenure rights’, (DLA, 2006) which in fact encompasses almost the whole population, with no specified guidance for prioritization of projects.

After 20 years, redistribution programme has seen 5,015 farms, on around 4,313,168 hectares transferred to 233,289 beneficiaries. (DRDLR, 2014) Table 3 portrays the comparison of outcomes of all three phases of redistribution, showing that from the sources available to PLAS benefit eventually only a small number of large-scale farmer.

In 2009, *Recapitalization & Development Programme* was launched (Recap) to address the needs of failing land reform farms. However, Recap turned out not to be efficient, when considering investment and results. Moreover, from fixing failed projects it became the sole source of support, replacing all prior grant and support systems in redistribution and restitution – unlike its original intention.(Hall, 2015)

Policy	Projects	Hectares	Beneficiaries	Ha/project	Ha/benefic.	Benefic./project
SLAG	472	636599	144528	1349	4	306
LRAD	4213	1133928	63300	269	18	15
PLAS	846	882238	10447	1043	85	13

**Table 3.: Comparison of outcomes of SLAG, LRAD and PLAS<sup>1</sup>**

Source: R.HALL (2014a: 176)

The purpose of tenure reform is to deliver security of tenure, with a particular focus on two dimensions: protection and strengthening of rights of occupiers of privately owned farms and state land (farm workers, labour tenants and farm dwellers); and reform of communal tenure. In the first case, the *Land Reform (Labour Tenants) Act* of 1996 and the *Extension of Security of Tenure Act* of 1997 serve as regulation of relations between owners and occupiers of farms and provides alternative land and accommodation. Notwithstanding, they turned out to be ineffective, as evictions are increasingly taking place within the law. The rate at which black people have been evicted from farms since 1994 exceeds the rate of forced removals from farms in the last decade of apartheid. An estimated 940 000 farm dwellers were forcibly

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<sup>1</sup> SLAG here refers to the period 1994–1999 and excludes those SLAG projects implemented after this period. LRAD here refers to all LRAD projects up to 30 June 2010. PLAS here refers only to PLAS projects implemented in the 2009/10 to 2011/2012 financial years and excludes those implemented before this, as no data are available for the prior period.

evicted between 1994 and 2003. (Hall, 2014) The reform is also criticized for its slow pace in resolving claims.

Secondly, communal tenure is addressed. The *Communal Land Rights Act* of 2004 provided a transfer of the land from the state to ‘traditional communities’ governed by chiefs and traditional councils. The Act has proven to be controversial in a view of failing to secure democratic governance of land right and to secure the rights of individuals, women especially. Due to the sensitivity and complexity of tenure issues and concentration on land redistribution, tenure reform remains to be the most neglected element of land reform. In general, government’s intentions about the future policy of tenure reform remain unclear.



## **4. CONCEPTUAL FRAMEWORK THAT INTEGRATES THE RIGHT TO FOOD AND LAND REFORM INTO THE SUSTAINABLE RURAL LIVELIHOOD FRAMEWORK**

This study presents a conceptual framework that integrates the Right to Food and land reform into the sustainable rural livelihood framework. Sustainable livelihood pathway was identified as a useful tool that provides a common frame of reference for clarifying and communicating concepts of the Right to Food and land reform and their relationship with each other in order to test the main question: *‘Does redistribution programme sufficiently address the objectives of the right to food?’*. The conceptual framework draws on the existing literature and lessons learned to present and integrates and systematically organizes a set of ideas and principles taken from the fields of the right to food, land reform and sustainable rural livelihood.

### **4.1 Pathway of sustainable livelihood**

Chambers & Conway (1992) define sustainable livelihood as follows:

A livelihood comprises the capabilities, assets (including both material and social resources) and activities required for a means of living. A livelihood is sustainable when it can cope with and recover from stresses and shocks, maintain or enhance its capabilities and assets, while not undermining the natural resource base.

The concept of sustainable livelihood (SL) is increasingly central to the debate about rural development, poverty reduction and environmental management. Unlike conventional approaches, SL offers holistic view in the analysis of livelihoods to identify those issues or subject areas where an intervention could be strategically important. In other words, it makes the connection between people and the overall enabling environment that influences the outcomes of livelihood strategies. Some of its proponents have therefore linked it to an ‘acupuncture’ approach to development. (Kranitz, 2001) There are three factors that shed light on SL. Firstly, it is the recognition that there is no automatic linkage between economic growth and poverty reduction. The principal determinant are capabilities of the poor to have an access and benefit from economic opportunities. Therefore, it is important to identify precisely what are the constraints for the poor in improvement of their livelihoods. Secondly,

it is the realization of more complex approach towards poverty – it is not only a question of low income, but it also includes factors such as lack of services or a state of vulnerability and feelings of powerlessness in general. Additionally, interconnectivity between various dimensions of poverty has been recognized. And lastly, people themselves often know their situation and needs best, their involvement and participation, hence, was recognized as crucial.(FAO, 2016) Application of the livelihood framework should not be considered a linear process but rather a flexible, dynamic and interactive process.

This study considers SL primarily as a tool or, more specifically, as an analytical framework. SL provides coherent and integrated approach and denotes a variety of different types of dynamic relationships, hence, offers a suitable space for exploring the relation of the Right to Food and land reform. A number of SL frameworks that have been developed and adapted by development agencies, however, the same general principles apply to all frameworks. One of the widely used livelihoods frameworks in development practice is a framework of ‘ Sustainable rural livelihoods’ (SRL) developed by Ian Scoones(Figure 6).

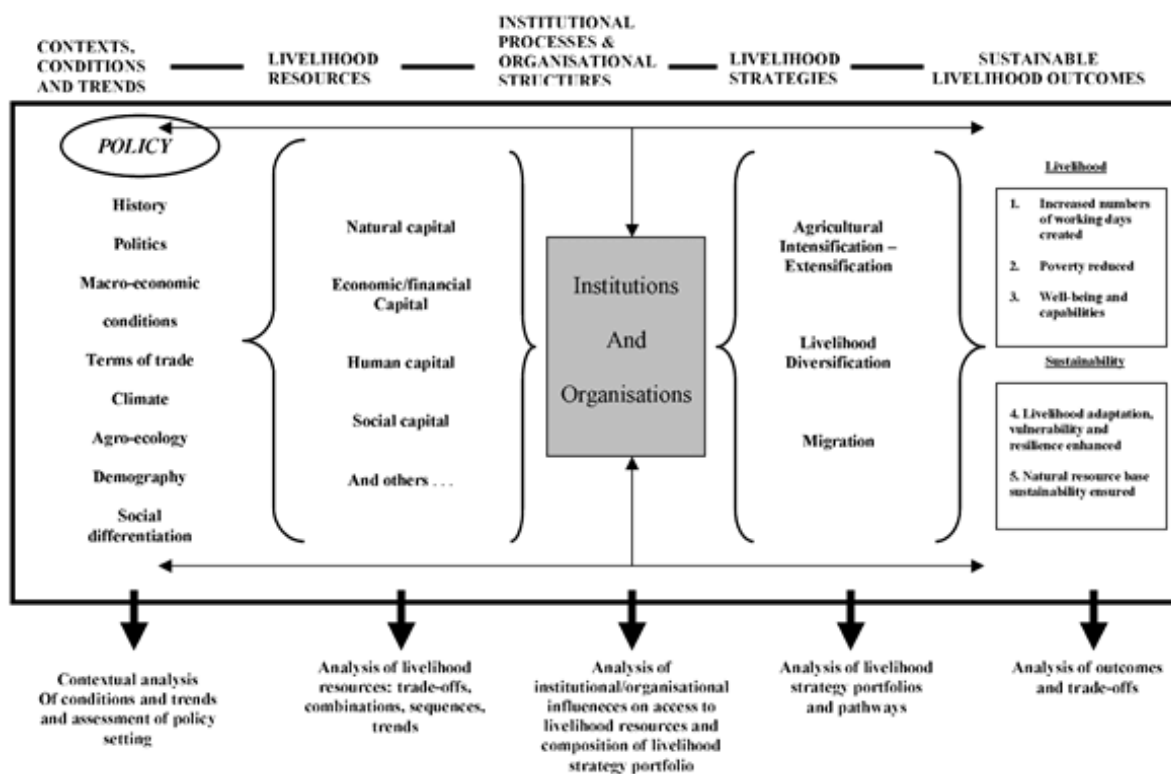


Figure 6: Sustainable rural livelihoods: a framework for analysis

Source:I. SCOONES(1998)

The key question to be asked in any analysis of sustainable livelihoods is -

Given a particular *context* (of policy settings, politics, history, agroecology and socio-economic conditions), what combination of *livelihood resources* (different types of 'capital') result in the ability to follow what combination of *livelihood strategies* (agricultural intensification/extensification, livelihood diversification and migration) with what *outcomes*? Of particular interest in this framework are the *institutional processes* (embedded in a matrix of formal and informal institutions and organisations) which mediate the ability to carry out such strategies and achieve (or not) such outcomes. (SCOONES, 1998)

The relationship between the determinants on the one hand, and desired outcomes on the other one is particularly important in identifying indicators. Importantly, establishing of desired indicators for assessment of the interrelationship between studied concepts can be facilitated through adoption of SRL. The advantage of SRL stems from recognition of five key outcomes of sustainable livelihood that can be assessed, as Figure 6 shows. First three are focused on *livelihoods*, linking concerns over work and employment with poverty reduction with broader issues of adequacy, security, well-being and capability. The last two add the *sustainability* dimension, looking at the resilience of livelihoods and the natural resource base on which, in part, they depend. (SCOONES, 1998)

#### **4.2 Conceptual framework**

Suggested conceptual framework is presented in Figure 7. As shown, framework integrates concepts of the right to food and land reform into SRL. SRL is expected to reveal the link between the determinants and desired outcomes, hence enables inclusion of land reform. Fundamentally, land reform in the framework stands for transforming 'structures and processes'. It is the social cement that links stakeholders to land as a form of capital and so defines the gateways through which they pass on the route to positive or negative livelihood. (DAVIES, 1996) Regarding the position of the right to food, the closer relationship with livelihood can be derived from the concept of food security, which is in relation to SL a consistent theme. Food security is within the framework a fundamental prerequisite for household livelihood security, hence, it lies on the way to sustainable livelihoods.

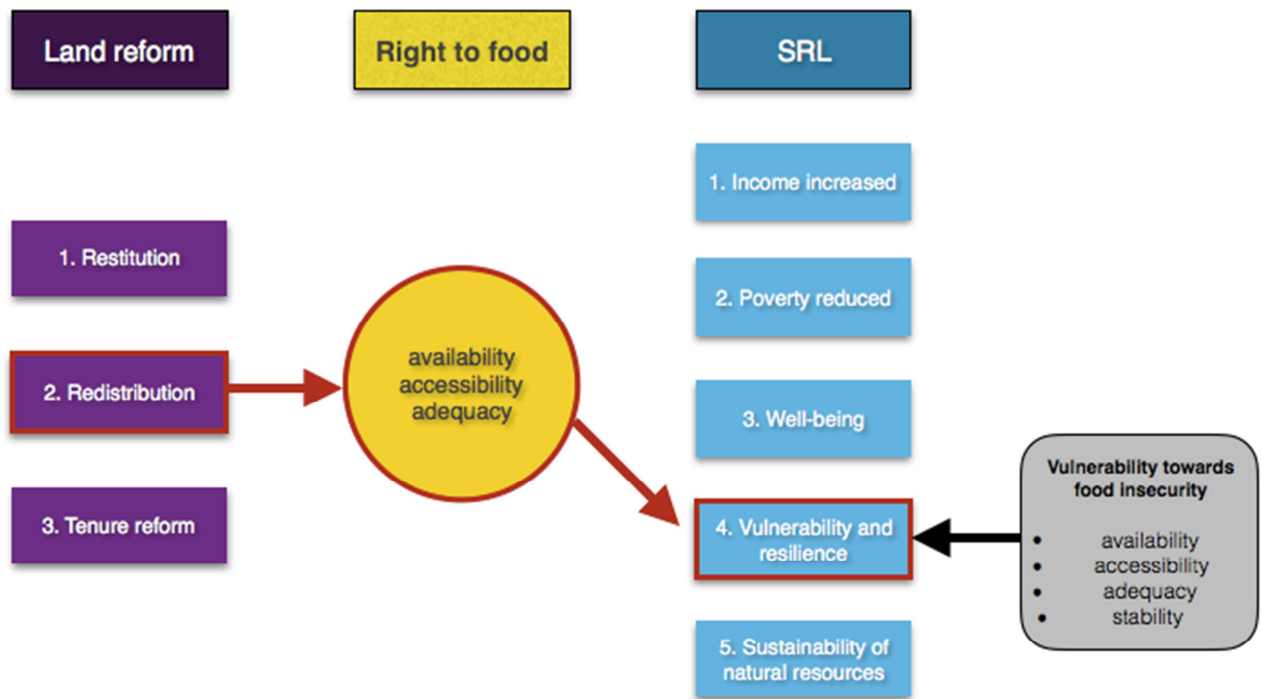
Clearly, all five indicators of sustainable livelihoods are quite different in scope, with a range from very precise measures and quantitative assessment, to very broad and diffuse indicators

with more qualitative techniques for assessment included. Covering of all outcomes of sustainable livelihood and, additionally, all three pillars of South African land reform would demand an exhaustive analysis that would go beyond my time and financial capacities. Hence, I decided to seek out only what is necessary to know by using the analytical right-to-food lenses and to encourage the right sort of questions to be asked.

Suggested conceptual framework is highlighted in the Figure 7. It reveals the core route that connects redistribution pillar of the land reform program with the fundamental objectives of the right to food concept through the assessment of the vulnerability outcome as an overarching point that enables a communication between the studied concepts.

The reason why the particular attention has been paid to redistribution pillar is that redistribution is widely perceived as having the greatest potential to significantly improve the livelihoods of the rural poor and to make a contribution to economic development. It also stands for a priority area, as demonstrated in the budget. (HALL, 2009)

In terms of SRL, priority indicator has become *vulnerability*, particularly in the context of the right to food *vulnerability towards food insecurity*. The ability of livelihood to be able to cope with and recover from stresses and shocks is central to the definition of sustainable livelihoods. Those who are unable to cope (temporary adjustments in the face of change) or adapt (longer shifts in livelihood strategies) are inevitably vulnerable and unlikely to achieve sustainable livelihoods. Additionally, when considering vulnerability in the context of the right to food, three dimensions of availability, accessibility and adequacy are completely in line, with stability added as a new component. Selection of given areas and their mutual relationships will be further justified more in a detail in a following chapter.



**Figure 7: Suggested conceptual framework**

Source:author's work

### **4.3 Linkage between the right to food & sustainable livelihood**

When Amartya Sen shifted the focus from availability of food to households' to ability to access the food, personal entitlements came to the centre of attention. Sen's focus is on the legal channels for accessing food and thus relates directly to the right to food. In order to understand the ability of households to access food, a focus on household livelihoods and assets is deemed necessary. (HART, 2009) The strength of using sustainable livelihoods approach stems from its ability to obtain a holistic multidimensional profile of a micro-level context – food, nutrition, livelihood, rights-realization – and to describe these dynamic relationships.

Generally speaking, close relationship between the right to food and livelihood is a consistent theme. Basic pillars of the right to food are within the framework a fundamental prerequisite for household livelihood security. Securing of sufficient amounts of food is also a core component of any household's livelihood strategies. Therefore, food security stands for a sub-component of household livelihood security. Nonetheless, food represents only one

crucial basic need among several others, and adequate food consumption is sometimes sacrificed for other important needs. (WFP, 2009)

In the more technical context of food security, the relationship between food security and livelihood is bi-direction. As Maxwell (1992) noted “*food security will be achieved when equitable growth ensures that the poor and vulnerable have sustainable livelihoods.*”(MAXWELL, 2009) Access to adequate food is positively associated with household livelihood activities. Among critical determinants belongs *food production*, as one of the most basic livelihood strategies; and *ability to purchase food*, reinforcing the increasingly critical role of income generation.

Conversely, households’ food security affects their livelihoods. Food access and utilization have feedback effects through its impact on the health and nutrition on individuals and therefore affect their labour productivity, income-earning potential and their ability to engage in livelihood activities.

However, food security should not be viewed as a unique and objectively defined need at any point of time regardless of the household’ s other priorities. In fact, vulnerable households tend to allocate their assets in order to balance their current food needs with their ability to secure their ongoing livelihood viability through a variety of livelihood strategies. (USAID, 2009) Simply put, successful food security interventions need to address not solely food security related issues, but also more far reaching issues of households’ livelihoods and their vulnerability context. At the same time, successful livelihood interventions need to address how food security affects household livelihood strategies.

### ***The vulnerability context***

The focus on livelihoods results in an awareness of the different abilities of households to cope with stressors, which undermine their ability to access food. In fact, household livelihood and the right to food can only be fully understood within vulnerability context, since livelihood and food sufficiency are inversely related to household’ s level of vulnerability. (USAID, 2009) One of the earliest, but most widely accepted definitions of vulnerability is that of Chambers:

Vulnerability refers to exposure to contingencies and stress and difficulty in coping with them. Vulnerability thus has two sides: an external side of risks, shocks and stress to which an individual or household is subject: and an internal side which is defenselessness, meaning a lack of means to cope without damaging loss. (CHAMBERS, 1989)

Vulnerability is a function of households' exposure to stressors and their ability to cope with these. Vulnerability is, however, sometimes used synonymously with food insecurity. Food insecurity may be interpreted as a particular form of vulnerability (vulnerability to inadequate access to adequate food) and at other times as an outcome of vulnerability. (TOIT, 2005) However, practically speaking, there is a significant overlap between those households that are currently food insecure and those at risk to food access that threaten their well-being. (WFP, 2009)

Analysis of pillars of the right to food is primarily a *static* view of food access and household constraints to the access. In contrast, risk and vulnerability analysis views food access from a more *dynamic*, forward-looking perspective as it involves risk elements that households face on a daily basis within their decision-making process; and their capacity to respond effectively over time. Each of the concepts has at least two dimensions – vulnerability has an *external* and *internal* dimension, and food insecurity has a *temporal* and *intensity* dimension. Nonetheless, both of them need to be combined during assessments and understood in terms of the interconnectivities between the different dimensions and the systems in which these states exist. (HART, 2009)

Using of the framework of sustainable livelihood enables a contextual understanding of the impacts of stressors on household livelihoods, access to assets, and household responses, while describing the multi-dimensional nature and dynamics of food insecurity. Figure 8 demonstrates how households' level of food sufficiency is on the backdrop of shocks and stresses largely determined by its asset base and the livelihood and food strategies it pursues. Households' assets represent the determinants of their coping capacity, while livelihood strategies, especially ability of households to diversify their income and consumption sources, mitigate the effects of any risks they face.

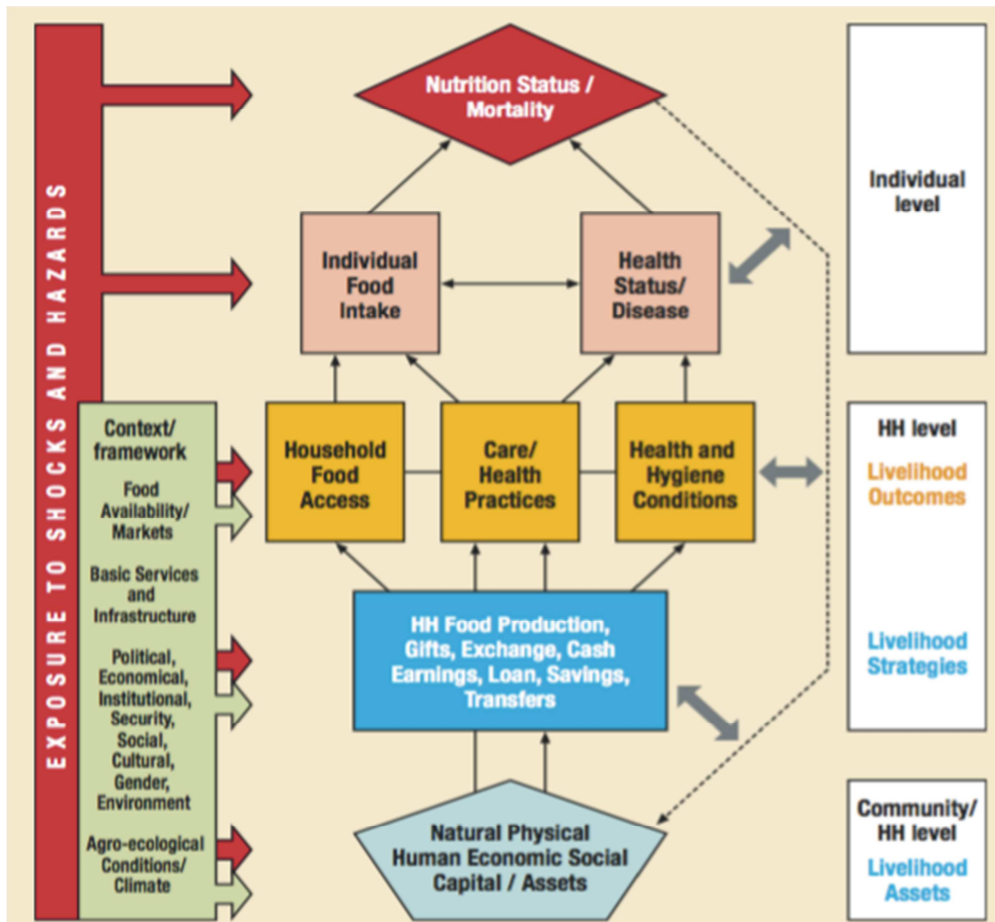


Figure 8: The right to food in a vulnerability context

Source: WFP (2009)

#### 4.4 Linkage between the right to food & land reform

##### 4.4.1 International arguments

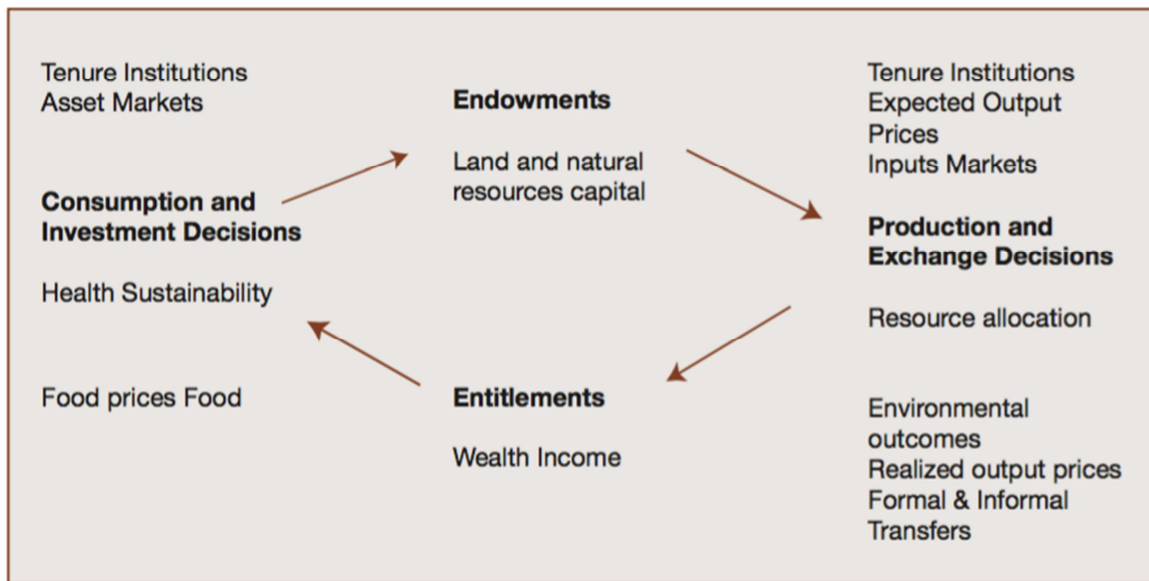
Drawing on the international food security literature, access to land is considered to be, at a very general level, one of the central factors determining food security and sustainable development. FAO emphasizes that access to resources is a key factor in achieving food security and that agriculture is considered as one of the sectors that plays a significant role. (FAO, 2008) Similarly, Negrão (2002) adopts following position: "...land for all the rural poor becomes an indispensable condition for food security; it is the only valid asset for a sustainable increase in income and for the attainment of the much-desired social stability." (NEGRÃO, 2002)

Maxwell and Weibe (1998) suggest that there is a solid evidence of qualitative and quantitative links between access to land and food security. Authors provide a casual



relationship between resources (e.g. land), production, income, consumption and eventually nutritional status of the household. They argue that improved access to land and increased security of tenure in productive resources enables more efficient and profitable agriculture production and thus leads to greater access to food through own production and/or trade. (MAXWELL, 1992)

However, the relationship between food security and access to land goes beyond a simple direct linkage. Rather, both concepts are related within more comprehensive and dynamic system, in which decisions about production, marketing, consumption and investments are made and are driven by structural changes over time. Figure 9 reflects how these dimensions can be affected by household 's decisions in terms of consumption and investment. Investment in land enables to generate income, consumption represents a form of investment into the health. At this point sufficiency and sustainability dimensions enter the cycle, since those household that can have a secure access to sufficient food are the ones that can afford to consume enough food for active and healthy life without compromising the sustainability of their reserves of wealth.



**Figure 9: Links between access to land and food security**

Source: MAXWELL, WEIBE (1998)

From a legal point of view, the normative content of the right to adequate food has major implications for access to land. As previously stated, right to food can be exercised through direct production; purchase of food; or through combination of both. Land represents a central basis for food production and income generation for themuch of the rural population. Improving the access to natural resources is, thus, a key element of realizing the right to food. Following documents tackle this relationship:

- General Comment 12 states that right to food is realized when individuals or groups *“have physical and economic access [···] to adequate food or means for its procurement”* .
- Right to Food Guidelines
  - Guideline 8 ( “Access to resources and assets” )addressesaccess to natural resources (such as land, water and genetic resource). Itis recommended to take measures to secure land rights and, “as appropriate” , develop a reform to enhance land access for the poor (Guideline 8b).
  - *Guideline 2*calls for a “holistic and comprehensive approach” that involves steps that would ensure access to productive resources and to employment (Guideline 2.4).

- Article 11 of the ICESR calls for states “to improve methods of production, conservation and distribution of food” , including “by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources “. (Art. 11(2)(a)).

However, in practice, the relative weight of resource access as a means to realize the right to food depends on socio-economic – rather than legal – factors. Unlike other human rights (e.g. right to property), access to resources does not lie in the core of the human right to food. Rather, it stands for a means to an end – the production or procurement of food, which can be achieved via other (complementary or alternative) means, such as income. In countries where natural resources are not the main source of food availability and accessibility, instead, income from employment or self-employment is the main mechanism through which the majority of the population gains access to food, improving access to natural resources is not the main focus of the Governments ‘obligations. (FAO, 2008)

### ***Links between the right to food and land reform within South Africa***

The relationship between the right to food and land reform is in the context of South Africa spherical rather than linear. There is a broad agreement that South Africa is not, by international standards, a particularly poor country – it is typically described as a middle-income or upper-middle income country on the basis of per capita GDP – but that it is an exceptionally unequal one with a substantially dualistic nature. (LAHIFF, 2007) Unlike much of other African countries, agriculture sector is not the major source of employment, accounting for 5% of total employment). (WB, 2016) More than half of the population lives in urban areas, not being dependent on the physical environment for their survival. Also rural population of South Africa appears to differ from other African countries, according to OECD in three ways:

- among the rural poor, income generated directly from agricultural activities and food consumed from own farm production are minor components of household resources (estimated at 10% to 20% of the total);
- many households continuously rotate between rural and urban base;
- and rural society is closely linked to the social and health problems of urban areas. (OECD, 2006)

Among those South Africans who earn less than the median, salaries, wages and commission account for 32% of all incomes, social grants 42% and remittances 12%. (StatsSA, 2013) Food security in South Africa is, therefore, largely about the ability of households to purchase food and linked more to employment and social protection policies than agriculture. This is a result of a decline in agrarian activities, including subsistence agriculture and growing urbanization. It means that household cash income deficits are a major cause of inadequate access to food. Rural population accounts for 40% of the total population (NPC, 2011) and, at the same time, 70% of country's poor (KEPE, 2008), living without alternative opportunities for survival. Land reform, thus, remains a critical issue for improving people's food security and livelihoods, although, it should be also clear that the potential of agriculture and land reform in particular to improve food security is limited.

On the policy level, land reform has been an important component of the government agenda since 1994 and features prominently in the 1996 Constitution. There are two important clauses in this matter: Section 27, guaranteeing food security and poverty reduction, and Section 25, promising land reform. However, to find in official policy pronouncements an explicit link between land reform and food security appears to be difficult. (CIGI, 2012) Relatively little attention has been paid to the economic dimension in general and to links between land reform and food security in particular. (LAHIFF, 2007) The most detailed official elaboration of arguments for land reform and the link to food security provides the *White Paper on South African Land Policy* published in 1997. The vision of a land for food has been, however, eroded over the years, enhanced by the shift in emphasis on 'commercial' farming. Current policies of food security lack compatibility with land tenure reform.

#### **4.5 Linkage between the land reform & sustainable livelihood**

The various arguments generally conclude that in most of developing countries land is at the centre of rural livelihoods. It represents a fundamental livelihood asset from which multiple and diverse ways of life may be derived. It offers opportunities for social and economic empowerment and thereby a springboard from which to enhance sustainable livelihood and reduce vulnerability. (FAO, 2006)

Land does not represent only the primary means for generating a livelihood but often the main tool for investing, accumulating wealth, and transferring it between generations. Hence, the

way in which access to land is regulated, property rights are defined, and ownership conflicts are resolved has broad implications beyond the sphere of agricultural production. These regulations, rights, and procedures affect not only the ability of households to produce for their subsistence and for the market but also their social and economic status (and often their collective identity), their incentive to work, their willingness to use the land sustainably, and their ability to self-insure or to obtain access to financial markets.(DEINEIGER, 2016)

However, despite the economic arguments, recurrent social demands and empirical evidence for redistributive land reforms, land reform programmes do not guarantee improved sustainable livelihoods. The key lesson that can be drawn from a range of country studies is that, irrespective of the political or historical milieu, the transfer of land alone is not sufficient. Important role plays the manner of implementation, both prior to and following the transfer of rights. In the absence of ongoing support and capacity building, new land owners are more exposed to the risk of failure. (PLAAS, 2007)

In the context of South Africa, two main broad streams dominate the debate about the impact of land reform on the livelihoods of beneficiaries. The first one argues that the lifestyle of South African people has been transformed such that they are concerned more with non-farm wage employment than with making a living out of land. This claim has been supported in the media that black South Africans are no longer interested in land as a source of livelihood. The argument that jobs are the solution to South Africa's problem of high rates of poverty and inequality, has been made, ironically, at a time when unemployment has reached around 40% of the economically active population. (CHITONGE, 2016)

The second category takes into consideration the limits of the importance of land in improving the livelihoods of the rural people, while explaining the reasons behind. Scholars are critical of the manner in which the land reform in South Africa has been conceptualised and being implemented. (LAHIFF, 2007)

The central problem in assessing the impact of land reform in South Africa on livelihoods is the absence of baseline data on the socio-economic status of beneficiaries entering the programme, a lack of agreed indicators, and the lack of longitudinal panel data. There is also only a little agreement on how to measure the success of land reform projects. So far, the focus has been primarily put on the number of hectares transferred, and the number of

beneficiaries. Little or no attention is paid to the livelihood benefits generated, in either qualitative or quantitative terms. (HALL, 2007)

## **5. THE INTERRELATIONSHIP BETWEEN THE LAND REFORM PROGRAMME AND THE OBJECTIVES OF THE RIGHT TO FOOD CONCEPT**

### **5.1 Case study area**

Determining factor in the decision about case study area was a developing consortium between Mendel University and CPUT and the facilitation of access to information this cooperation offers. With a campus located in Wellington, field work was conducted in the area of Western Cape, Cape Winelands District Municipality respectively.

#### *5.1.1 Location*

The Western Cape Province is the 4<sup>th</sup> largest province in South Africa in terms of its land area, spreading over 129 449 km<sup>2</sup>, covering 10.6% of land area. The area consist of 11,560,609 hectares (89.3%) of farm land, 2,454,788 hectares (19%) potentially arable land, 9,105,821 hectares (70.4%) grazing, 730,731 hectares (5.6%) nature conservation, 198,938 hectares (1.5%) forestry and 448,322 (3.5%) other. (DAFF, 2014) The Province is structured into five district municipalities namely: Cape Winelands, Central Karoo, Eden, Overberg, West Coast and Cape Metropole (City of Cape Town), which is the only metropole situated in the Province (Fig.10).

#### *5.1.2 Demographic profile*

In 2015 the population was estimated to reach 6,200,100 inhabitants, which represents 11.3% share on the total population. (StatsSA, 2015) The province also recorded the second highest percentage of increase in the population between 2001 and 2011 (28,7%) after Gauteng (30,7%). (StatSA, 2011) Compared to other provinces, Western Cape has a mixed population group profile: Coloured (52%), black African (29%), white (18%) as well as Indian/Asian (1%). The majority of people are Afrikaans speaking (49.6%), followed by IsiXhosa (24.7%) and English (20.2%). 68% of the population belong in the age category 15-64 years. (StatSA, 2014b)

Western Cape has the lowest proportion of people with no formal education (2.7%) compared to the national average rate (8.6%) and second highest proportion of persons with a higher education (14.1%). The average household income in Western Cape is second highest (R143,000 p.a.) after Gauteng (R156,000 p.a.). (StatSA, 2011) According to the Census

2011, the Province remains with the lowest rate of unemployment (21.6%), compared to the national average rate (29.8%).



**Figure 10 Administrative map of Western Cape**

Source: SAMJ

### *5.1.3 Agriculture profile*

Agricultural sector of Western Cape is distinguished in several ways from that in other provinces, mainly in terms of its physical resources. The winter rainfall region of the Winelands and the year-round rainfall of the Southern Cape provide agricultural conditions that make the crop mix and production potential unique. The sector is well known for its production stability and supported by well-developed infrastructure for input supply and output processing.

In the Western Cape economy, agriculture is one of the key pillars. The province itself contributes some 14% to the national GDP, however, it generates about 23% of the national agricultural value-addition. (Vink, 2007) Additionally, diversity of agriculture production makes Western Cape important from the food security perspective, since it is a source of agro-commodities such as fruit, wine, meat, grain, vegetable etc. Agricultural production,



hence, is maintained in most agricultural categories to assure population with necessary food basket items.

Agricultural production is categorized in four activity groupings with following gross value of production: field crop production (R 51,783 billion); horticulture (R 46,481 billion); animal production (R 84,610 billion); and forestry and mixed farming. Horticulture contributes most to collective agriculture activities (46% hectares of agricultural activity; 41% commercial farming units of agricultural activity).

More than 50% of the agricultural products of the Western Cape agricultural sector are destined for the export market, at the same time farming technologies are generally being imported from abroad. (WC DAC, 2015) The top export commodity categories for the province in terms of the highest exported value are (in million): beverages, spirits and vinegar (R 9,521); pome fruit (R 6,612); citrus (R 6,585) and grapes (R 4,023).

The sector also absorbs and creates much of employment. Currently it employs 23% of the total national agricultural workforce, which is the largest in relation to other provinces. This could be a direct result of the labour intensive agricultural industries, such as the horticultural industry, for permanent as well as seasonal labour. Regarding the education, total of 5% of the agricultural working population did not complete their primary education, followed by 22% whom have completed up to grade 12. (WC DAC, 2014)

The Western Cape's favourable climatic and soil conditions make it home to most of South Africa's wineries, accounting for 90.5% of production, contributing some 30% to the region's horticultural income. A number of joint ventures have been established between wine farmers and their workers in order to encourage people from previously disadvantaged communities to emerge as wine farmers/makers and to facilitate them the entry into the industry. (Wink, 2007)

#### *5.1.4 Land Reform in Western Cape*

The Western Cape is the leading Province when it comes to land restitution and the settling of land claims in South Africa. The vast majority of claims, however, are urban in nature and could be, therefore, easier and faster settled than it is the case of rural community claims.

In 2014 the Western Cape Department of Agriculture completed an external agricultural land reform evaluation as per its strategic objective of ensuring at least 60% land reform success.

The evaluation was conducted by the Kayamandi Development Services. Accordingly, the study revealed a 62% success rate from a population of 246 agricultural land reform projects that the Department has supported since 2009. (WC DA, 2015) Of the 38% failed projects, 24% was experiencing challenges while 14% failed completely. Highest scorings occurred on average in the projects' ability to service debt, their access to markets and anticipated future growth. On the downside, the lowest scoring indicators on average involved mostly environmental matters. The province attributes its success in the main to partnering with industry organisations to ensure effective support to land reform projects. (WC DA, 2015)

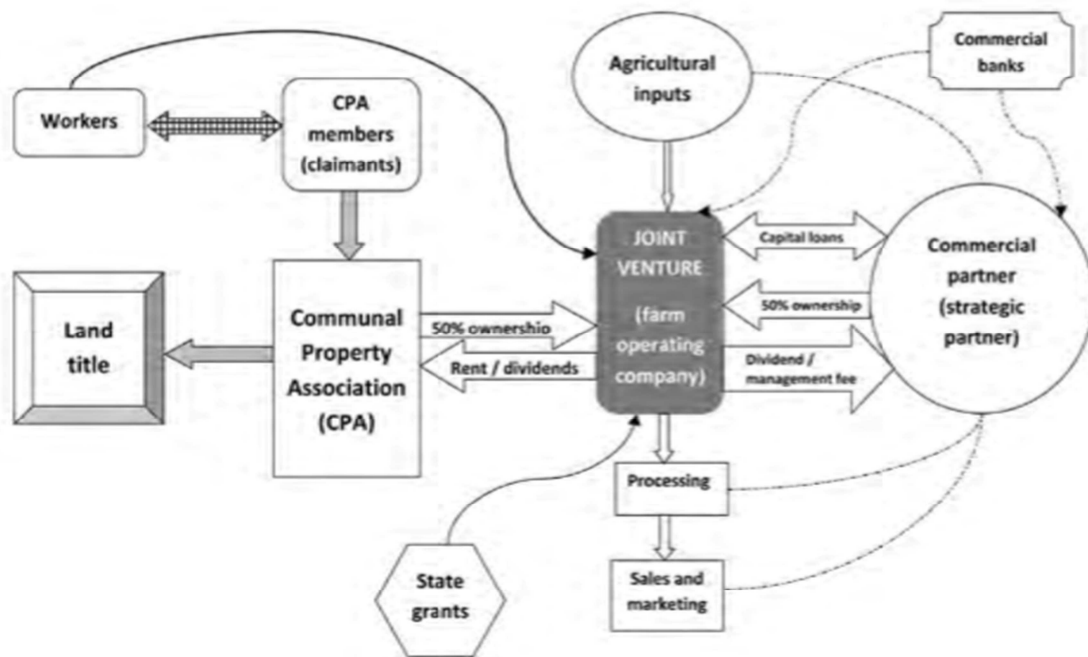
## **5.2 Characteristics of studied projects**

All studied projects are still at an early stage, being set up within LRAD programme period. In addition to the land reform support, two projects (MWT and Rennie Farms) are a part of state' s wider programme of Black Economic Empowerment. Number of beneficiaries involved ranges from 23 in the case of Enaleni, 72 in MWT to 230 in the case of Rennie Farms. Most of the beneficiaries were employed on the farms also before the transfer of ownership.

Most dominant feature that all projects have in common is the form of their business model. All of them have entered into contractual arrangements with so-called 'strategic partners'. In distinction to the way in which the term is used in the international business literature, the term 'strategic partnership' is used here (and widely in South Africa) to signify a *joint venture* or other form of collaboration between an established commercial firm and a new group of workers with limited commercial experience and little or no access to finance or leading-edge markets. (Lahiff, et. al, 2012)

Figure 11 explains the key elements of this model. Under the strategic partnership model, ownership of land is vested in the beneficiaries, organised in a legal trust or a CPA (Communal Property Association). Once initial agreement has been reached between all the parties, formal title to the land is transferred directly from the existing landowner to the beneficiaries with the state paying the owner the agreed purchase prices. Beneficiaries and their strategic partner are then required to form an operating company. The operating company is jointly owned, however, day-to-day management of the farms is generally in the hands of the commercial partner who has a control of financial and operational matters.

Involved parties are expected to benefit in a number of ways. In terms of a direct reward, they are entitled to a cash income from the operating company, levied as a direct cost on the joint venture, or an income from renting the land. In addition, as shareholders, beneficiaries may receive a share of any profit made by the operating company. In addition, beneficiaries may benefit from preferential employment opportunities as a result of available training services. Based on the interviews, various training services have been provided to almost all respondents that in turn reported very high level of satisfaction and appreciated the possibility of a vertical professional growth. On the side of strategic partners, they can benefit from share of profits, management fees and exclusive control of upstream and downstream opportunities.



**Figure 8: Key elements of a joint venture business model**

Source: LAHIFF et al (2012)

### 5.2.1 Enaleni

First five respondents come from *Enaleni* wine farm based just outside of Stellenbosch. In 2008 Schalk Visser, the owner of Nagenoeg Landgoed estate, started the process of dividing one portion of his farm. He sold 32 ha *Enaleni* farm to his 23 farm workers, still working on this estate, who became the farm owners. *Enaleni* became a joined venture with Stellenbosch Vineyards that took over the mentoring of the workers from Visser. Stellenbosch Vineyards is adopting the business function of *Enaleni* with regards to the Marketing, Skills Development, Distribution, Finance and Winemaking.

The farm is a Black Economic Empowerment (BEE) project and funds generated directly benefit the workers of the *Enaleni* farm and their families. The farm grows grapes that are sold to wine cellars to produce quality wine, such as Sauvignon Blanc and a Cabernet Sauvignon that is currently sold in Tesco in the United Kingdom. Recently, Stellenbosch Vineyards has launched a new Fairtrade-certified range of *Enaleni* premium quality wines that according to Carli Jordaan, Stellenbosch Vineyards Brand Coordinator, aim at “*assisting with the empowerment of the community so that they can one day take ownership of their business.*” (Cape Talk, 2015)

The community of 46 people lives on the farm, out of which 14 are full-time workers. Most of these families have been living here for generations. Their houses have been renovated, provided with all fundamental facilities and supplied by energies subsidized by the government. For the community purposes there is a library available, space for children in their after school time and also a small chapel. They also arranged themselves a 250 m<sup>2</sup> garden, which they have in a common ownership with main crops such as beans, carrots, pumpkins and squash.



**Picture 1: Beneficiaries of Enaleni project**

Source: author 's photo archive

### **5.2.2 Meerlust Workers Trust (MWT)**

Another 10 respondents come from *Meerlust Workers Trust (MWT)* comprised of 72 people. For several years the Myburgh Family Trust, the owners of the well-known Meerlust Wine Estate in the Stellenbosch region, have been looking at potential projects that would benefit their farm workers in a meaningful and economically viable way as they have a long history of investing in their workforce through the Meerlust Foundation. This has culminated in a R45million rand BEE deal funded by the Myburgh Family Trust, Standard Bank, and LRAD of the Department of Land Affairs.

The companies involved, *MWT Investments* and *Faure AgriVillage* are jointly owned by MWT and Myburgh Family Trust (50% each). The project affords individuals an opportunity to obtain an interest through the Meerlust Empowerment Trust in the two companies which will conduct commercial farming as well as a business venture, and utilising it in partnership with Meerlust. Skilled support has been included throughout to ensure the success of the project.

In phase one, the companies purchased from the Meerlust Family Trust 76.5 ha of agricultural land of which 10.55 ha is currently planted under vine and a further 33 hectares are suitable for vineyards. The long term goal will be to develop 30 ha of quality grapes that will be used in the Meerlust range of wines and possibly, an own label. The vineyards are

currently rent to Meerlust that maintain it in their administration. Meerlust also administrates 30 ha of the agricultural land for their Nguni cattle farming venture. The aim of this initiative is to transfer this business to another BEE company.

The second phase of the project has been the development and construction by the company MWT Investments of a wine storage and labeling facility, Compagniesdrift. Launched in 2010, Compagniesdrift cooperated with only 4 producers. Currently, commitments have been secured from 53 wine producers to store their wine and a total of 2.3 million bottles are already in the warehouse.

Meerlust Wine Estate supports this new business in terms of farming decisions, processing, equipment, management and marketing. Meerlust will also, under contract, store and bottle its wines at Compagniesdrift.

Due to different business models adopted by Faure AgriVillage and Compagniesdrift will be both companies further in the thesis analyzed separately.



**Picture 2: Labelling and wine storage facility of Compagniesdrift**

Source: author 's photo archive





**Picture 3:Faure AgriVillage**

Source: author 's photo archive

### ***5.2.3 Rennies Farms***

Last ten respondents are a part of the third project *Rennies Farms*. The project, based in Paarl, builds on modern and intensive vegetable farming. It comprises of two farms in Paarl and two on the banks of the Orange River, covering 20ha of growing tunnels and 30ha under netting with annual production of 5000t. It is the biggest supplier of tomatoes, cucumbers and herbs to Woolworths in the Western, Eastern and Northern Cape provinces and Namibia.(Financial Mail, 2013)

In 2006 Rennie Farms sold a 43.6% stake in the Paarl farms to workers under the government's LRAD programme in a R13.5m deal granted by Land Affairs, which have assisted Rennie Farms to pay debts and further expand.(IOL, 2007) Currently, altogether 280 fellow workers (permanent and seasonal) on the farms have become the beneficiaries of one of the largest land redistribution deals in the Paarl district. Pro-rata dividends are paid out annually as profits grow, and shares can only be sold back to the trust after three years. However, up to date all dividends have been further reinvested in the operating company.

Important source of income remain extra working hours. These additional payments can be, however, very volatile as they are dependent on the harvest.

Most of the respondents reported to own a private garden. However, during the year employees have also an access to vegetable grown on the farm, which they are either granted for free or they can purchase it for a symbolic price. This is, however, not on a regular basis, only in the case of an overproduction.



**Picture 4: Rennie Farms in Paarl**

Source: author 's photo archive

### **5.3 Socio-demographic profile of respondents**

Household is usually defined as a house and its occupant regarded as a unit, forming a clear socio-economic entity. (WFP, 2014) The head of the household is here defined as the member of household who makes the major decisions.

In this study 76% out of total 25 respondents were females while 24% were males. Furthermore, example of Rennie Farms shows that 70% of total beneficiaries create women. However, this could be seen rather as an exception than a rule. According to land reform



statistics, in the reporting period of 1994-2014 women represented only 22% of total beneficiaries of redistribution programme. (DRDLR, 2014)

In case of Enaleni and MWT projects women are also in the role of the head of the household, which is positively correlated with the “not married” status. This could be explained by the current trend of single mothers running the most of SA households. In 2014 only 31% of mothers were in 2015 recorded as being married, meaning it is possible the father might be absent in the household. (StatSA, 2015) In terms of a household structure, 44% of all respondents reported to come from the independent household with own provision and no external support, while 40% identified themselves with an independent household with family provision and a support from government.

	Enaleni	MWT	Rennie Farms
% of female respondents	80	70	80
Mean age of respondents	47	36	39
Mean household size	4,6	3,7	5,8
% of female households	80	60	40
% of not married	80	60	60

**Table 4: Socio-demographic profile of respondents**

Source: author 's work

#### **5.4 Sense of achievement: content, methodology and aspect**

This chapter is structured to analyse and assess the interrelationship between the land reform programme and the objectives of the Right to food concept. This interrelationship, due to its multi-faceted nature, is considered a spatial one and is addressed through the development of a single coefficient. This coefficient reflects the multidimensionality of these concepts and culminates in providing a single numerical value that serves as an indication of the perceived degree of success of the interrelationship -the *coefficient of achievement*. It is a composite indicator that incorporates the three pillars of the Right to Food concept and the vulnerability aspect of the Sustainable Rural Livelihood framework.

For each dimension a quantitative indicator based on the descriptions as expressed in policy documents has been created. These indicators are a combination of already existing indicators that have been tested and proved in practice as well as indicators that have been identified based on a good economic practice. The perspective of analysis is to illustrate the relationship between the given concepts and provide a point of departure for further analysis and discussion. Subsequently, the situation is graphically explained in two graphs that offer a more detailed description of the sense of achievement and its variations. In the process efforts will be made to illustrate that this sense of achievement (individually and cumulatively) is a compound value and not the sum of a separate set of values.

#### *5.4.1 Methodological approach for the analysis*

##### *Characteristics of the individual dimensions*

Since the aforementioned achievement coefficient is a compound indicator, it is necessary to first analyze the individual indicators which are included into this compound value. These indicators represent a quantitative measure of four fundamental dimensions that are derived from three pillars of the Right to Food concept and the vulnerability aspect of Sustainable Rural Livelihood framework. The relationship between the single dimensions is spherical, hence, all of them need to be addressed simultaneously. Dimensions are namely as follows:

- Physical AVAILABILITY of food
- Economic and physical ACCESS to food
- Food ADEQUACY
- STABILITY of the other three dimensions over time

For each dimension a numerical indicator measuring its quality was developed. The obtained value provides an indication of the status of a given dimension. This can generally range from 0, which means the worst scenario, to value one, which signifies the optimum situation. The rationale behind each indicator is explained as follows.

##### *Availability*

The concept of availability of food builds on two factors. Firstly, the physical existence of sufficient quantities of food of appropriate quality on markets in the given area and secondly,

the availability of some additional land as a source of own food production. Both factors are given a weight of 0,5 and are subsequently summed up. A value of 1 means that good quality and nutritious food is available to the beneficiary on local markets as well as through own production on easily accessible land. A measure of zero means that the food is not physically available in sufficient quantities and appropriate quality to the respondent. The respondent does also not have reasonable access to produce own food.

#### *Accessibility*

As earlier stated, accessibility refers to the entitlements of appropriate foods for a nutritious diet. This can range from zero, which means no access to food due to limited means, to 1 representing optimal access to food. The value is calculated as the ratio between the actual income received and double value of the minimum farm worker wage, which was set for 2015 as R5213,56. (Department of Labour, 2015)

#### *Adequacy*

As earlier stated, adequacy refers to household's use of the food to which they have access. A useful tool is the Food Consumption Score (FCS) used by WFP, which is based on the dietary diversity, food utilization frequency and relative nutritional importance of the various food groups consumed. FCS utilizes information from a country-specific list of food items and food groups. The respondents were asked about the number of days out of past seven days during which they consumed a given food item.

Items are grouped into eight standard food groups and assigned with a weight based on their nutrient content as specified by the WFP. The number of days (7 max) is subsequently multiplied by the weight of a referring group. The values are then summed to calculate the FCS, which can range from 0 to 112. For convenience the obtained score is finally divided by the maximal possible level of FCS and, hence, allowing for the creation of a common standard of assessment suitable for inclusion into the matrix.

#### *Vulnerability*

Vulnerability here with its narrow interpretation refers to respondents' perceived stability of food sufficiency over a 12 month period with monthly assessments. The scale ranges from 1 to 5, where 1 indicates the perception of no access to adequate food, 3 means average and 5 means perceived unlimited access to adequate food. Perceived stability of food sufficiency

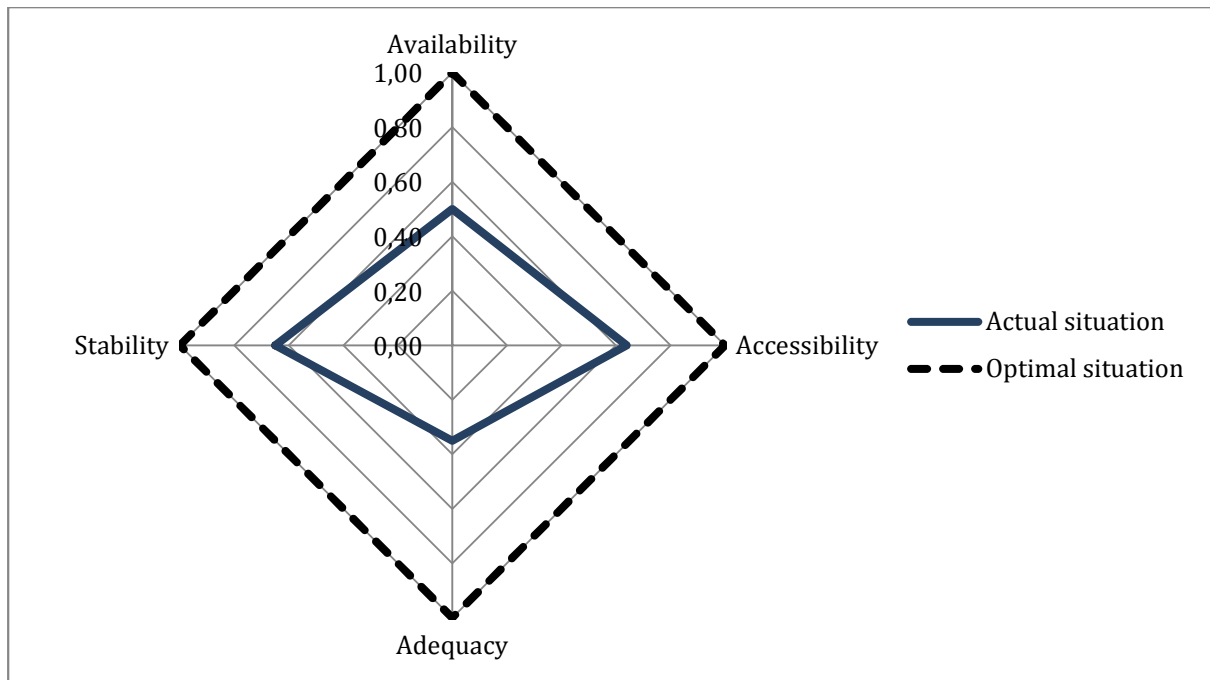
was quantified using the sum of the number of months indicated as stable (months with values 3, 4 and 5) divided by 12. A stability measure of zero means the respondent perceives all months of the year as unstable while a value of 1 means that the food sufficiency situation is perceived as being stable during the whole year.

### ***Coefficient of achievement***

As mentioned above, coefficient of achievement stands for an aggregate quantitative value that suggests the sense of achievement that people experience building on all four aforementioned dimensions. The coefficient satisfies following properties. It is a cumulative value that it is created by the combination of factors that do not have a linear relationship, but they are interrelated and influence each other in a spherical manner. In order to have a complete sense of achievement, all dimensions have to be fulfilled. Secondly, it brings out the human side of the Right to Food concept by emphasizing the sense of satisfaction and perception factor of the respondents.

Thirdly, by incorporating both the three Right to Food pillars as well as the vulnerability aspect of the Sustainable Rural Livelihood, the coefficient of achievement can be calculated as the ratio of the surface area enclosed by the axis values of the four indicators for the respondent, divided by the optimum area where the four axis values are used as 1. This ratio is then an indication of the degree of achievement of the optimum sought by the ideal axis values.

This compound coefficient value serves two functions. Firstly, it facilitates the comparison of the experience of the realization of all four dimensions between single projects at household level and secondly, it suggests the extent to which the land reform programme objectives are experienced to be meeting meets the objectives of the Right to Food concept. The idea can be supported by the Figure 12, which helps to visualize the situation.



**Figure 12: Rectangle of perfect and actual situation**

Source: author 's work

As shown in the Figure 12, all four fundamental dimensions are embedded in this four four-dimensional space and their achievement can be measured on a scale from 0 to 1. The middle, where all lines are connected, means zero and it signifies the level of minimum agreement and vice versa, a measure 1 on the other side of the axis signifies the optimum (full agreement). This will appear when there is full agreement between the actual achievement and the optimum as dictated by the optimum situation.

Total area of the generated rectangle is calculated as a sum of the areas of four right-angled triangles. In order to calculate the coefficient, the obtained value is divided by 2, which is the maximum surface of the optimum rectangle. The higher the numerical value (on a scale from 0 to 1) the more are the four dimensions fulfilled. Since all four dimensions need to be fulfilled simultaneously, the value of less than 1 implies that there is a variation and, hence, some dimensions still have a space for an improvement.

## 5.4.2 Analysis of studied projects

### *In-depth analysis of individual projects*

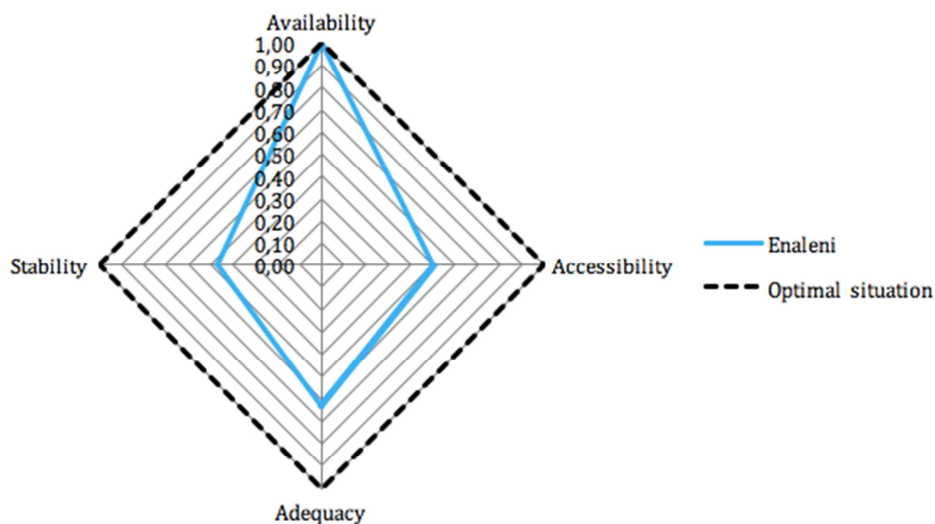
#### *Enaleni*

As Table 5 demonstrates, *availability* dimension is completely fulfilled. In terms of own food production, beneficiaries arranged themselves a 250 m<sup>2</sup> garden, which they have in a common ownership with main crops such as beans, carrots, pumpkins and squash. Two respondents also said they own an extra land (200m<sup>2</sup> and 20m<sup>2</sup>) for the purpose of a private food production. The lowest level of fulfillment of *accessibility* dimension can be reasoned by respondents' level of income that equals the minimum farm workers wage. In addition, professional variability at Enaleni is fairly low, all respondents had a position of a general worker. In terms of *adequacy*, project value suggests better food consumption that in case of Rennie Farms. However, more detailed analysis reveals high variation within the data set. In fact, two respondents from Enaleni farm indicated FCS close to the lower bounder of the acceptable status of food consumption. Regarding stability, respondents reported that approximately half of the year they experience stable food sufficiency, which is comparatively the lowest sense of stability of all projects.

Nr. of the respondent	Availability	Accessibility	Adequacy	Stability	Coefficient of achievement
1	1	0,50	0,41	0,50	0,35
2	1	0,50	0,84	0,58	0,50
3	1	0,50	0,70	0,50	0,43
4	1	0,50	0,78	0,42	0,41
5	1	0,50	0,44	0,33	0,30
Project	1	0,50	0,63	0,47	0,40

**Table 5: Enaleni farm matrix of achievement**

Source: author 's work



**Figure 13: Enaleni farm achievement surface**

Source: author 's work

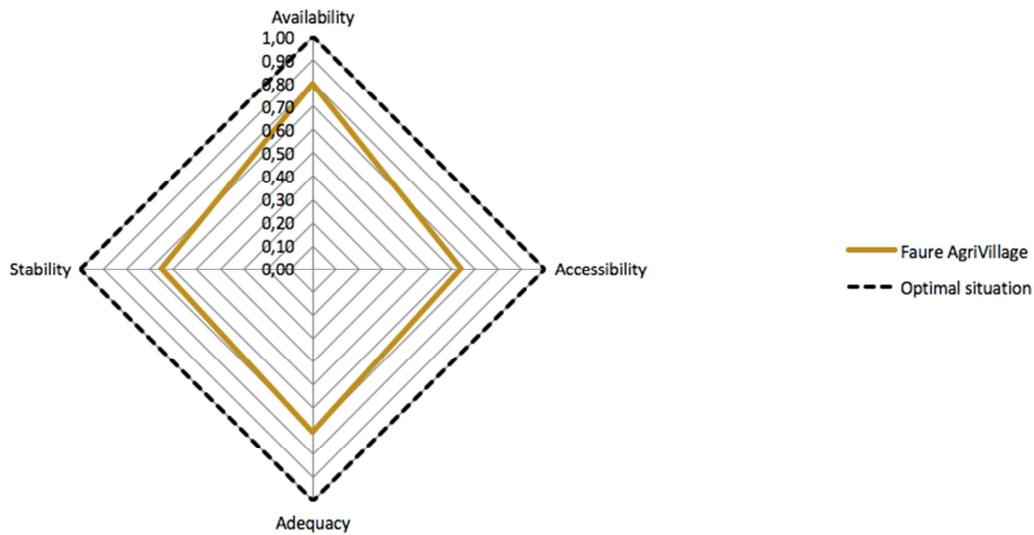
### *Faure AgriVillage*

Faure AgriVillage is the only case where availability dimension was not completely fulfilled. Unlike in Compagniesdrift, beneficiaries of Faure AgriVillage do not have any vegetable farm for their own disposal. However, some respondents reported the ownership of the private extra land. Low fulfillment of *accessibility* dimension reflects comparatively lower wages as well as prevalence of general worker positions among respondents. Food consumption of all respondents was according to their FCS classified as acceptable with a substantial reserve. Values of *stability* dimension significantly vary among respondents.

Nr. of the respondent	Availability	Accessibility	Adequacy	Stability	Coefficient of achievement
1	1	0,69	0,64	0,92	0,66
2	0,5	0,61	0,86	0,33	0,32
3	1	0,61	0,68	0,83	0,61
4	0,5	0,73	0,71	0,50	0,37
5	1	0,58	0,63	0,67	0,51
Project	0,80	0,64	0,71	0,65	0,49

**Table 6: Faure AgriVillage matrix of achievement**

Source: author 's work



**Figure 14: Faure AgriVillage achievement surface**

Source: author 's work

### *Compagniesdrift*

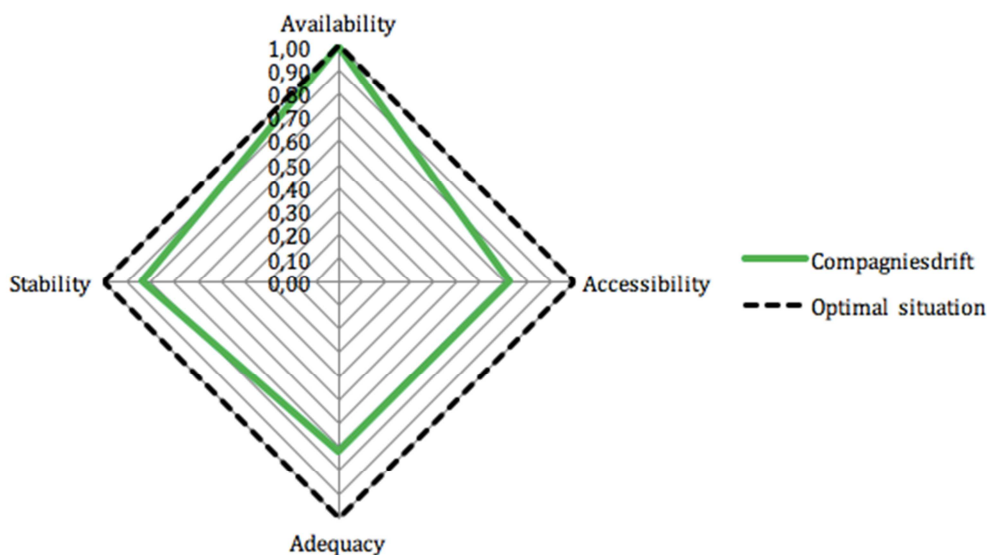
Data suggest that closest to meeting of the objectives of the Right to Food is Compagniesdrift. Employees have at their disposal a communal garden – 2x12m tunnel planted with tomatoes and the outside growing area planted with spinach, beetroot, cabbage and carrots. Additionally, in the near future the manager plans to involve the children and introduce them to the world of vegetable growing and a healthy lifestyle. Organization structure of Compagniesdrift is generally more diversified, ranging from the positions of general workers operating at labelling facilities, to logistic operators or business administrators, which is reflected in higher received incomes (no value at accessibility dimension of respondent nr. 1 means that informant did not state the income received). Respondents also indicated that they especially appreciate the possibility of gaining higher valued employment as a result of a completion of available trainings. Compagniesdrift informants also on average indicated the highest number of months when they perceive their food sufficiency as stable. Lower sense of vulnerability could be reasoned as the result of subsidies of electricity, housing, water and medical expenses that are from a major part covered by Meerlust.



Nr. of the respondent	Availability	Accessibility	Adequacy	Stability	Coefficient of achievement
1	1	X	0,81	1,00	X
2	1	0,81	0,59	0,58	0,55
3	1	0,81	0,78	0,92	0,77
4	1	0,65	0,72	0,92	0,67
5	1	0,61	0,69	0,75	0,58
Project	1	0,72	0,72	0,83	0,67

**Table 7: Compagniesdrift matrix of achievement**

Source: author 's work



**Figure 15: Compagniesdrift achievement surface**

Source: author 's work

### *Rennie Farms*

Employees of Rennie Farms have over year an access to vegetable that is available on the farm and that they are either granted for free or they can purchase it for a symbolic price. Most of the respondents reported that they take advantage of this possibility. While analyzing *accessibility* ,income of the manager of the project was identified as an outlier and removed in order to smooth out the data set. It was the only informant with such a position within otherwise rather homogenous overall data set (manager of Compagniesdrift did not state her

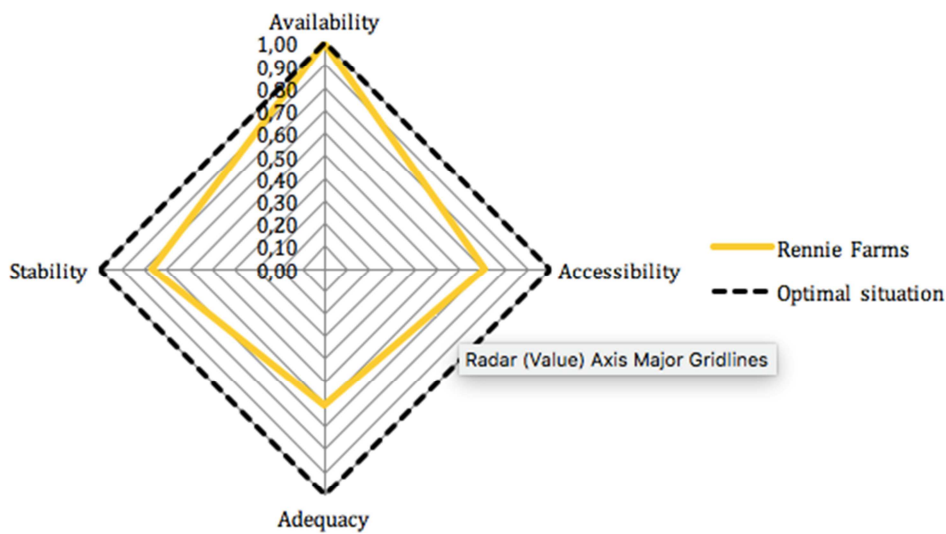
income). Working positions at Rennie Farms are also more diversified (among interviewed ones were general workers as well as quality controllers), which also reflects higher income received. Informants similarly appreciated the possibility of professional vertical shift, such as general worker - driver of the camion.

The major anticipated benefits are considered to be dividends that should be paid once a year. However, as this equity scheme is still at an early state of implementation, dividends have been so far used for reinvestment into the farm. Important source of income remains extra working hours. These additional payments can be, however, very volatile as they are dependent on the harvest. This factor was also identified by informants as the dominant determinant of their sense of stability over the year. In terms of adequacy, more detailed analysis of their FCS revealed that higher income does not necessarily have to lead to more diversified diet. Informants indicated preferable consumption of high-caloric, processed foods and in addition, several respondents themselves or some members of their household were diabetes.

Nr. of the respondent	Availability	Accessibility	Adequacy	Stability	Coefficient of achievement
1	1	X	0,80	1,00	X
2	1	0,38	0,40	0,67	0,37
3	1	0,54	0,46	0,58	0,41
4	1	X	0,80	0,42	X
5	1	0,94	0,55	0,83	0,69
6	1	0,94	0,82	0,83	0,81
7	1	0,54	0,56	0,67	0,47
8	1	0,81	0,63	0,83	0,67
9	1	0,81	0,44	0,83	0,59
10	1	0,73	0,57	1,00	0,68
<b>Project</b>	1	0,71	0,60	0,77	0,59

**Table 8: Rennie Farms matrix of achievement**

Source: author 's work



**Figure 16: Rennie Farms achievement surface**

Source: author 's work

**Overview of studied projects**

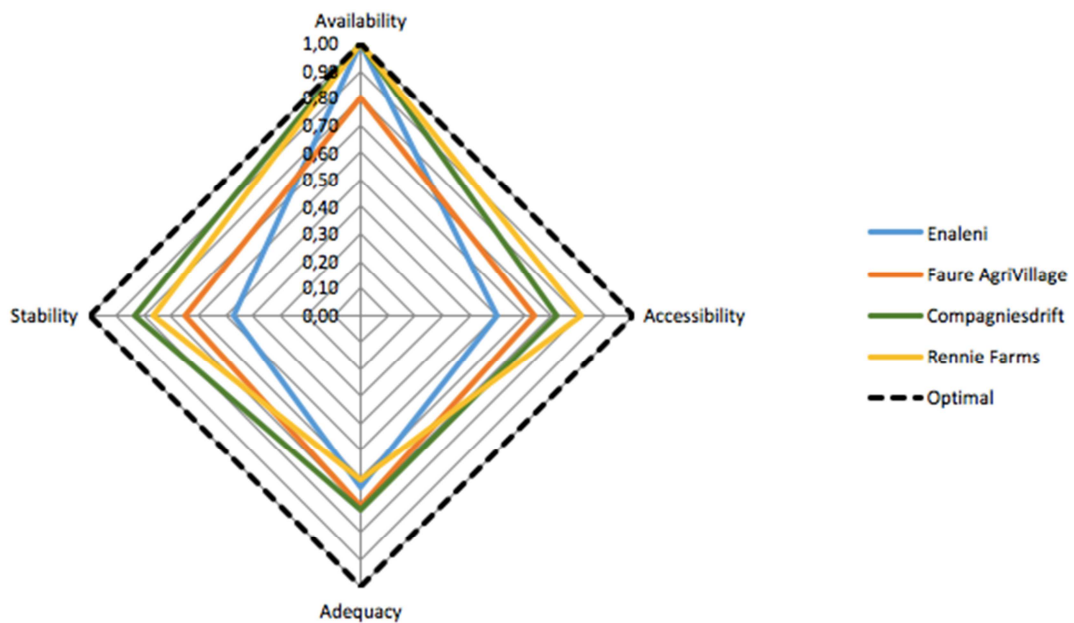
Numerical indications of the general coefficient of achievement and its individual indicators are provided in Table 9 for all four projects. Corresponding dimensions are illustrated in Figure 17. According to the coefficients shown in the Table, closest to meeting the optimum situation are the beneficiaries of Compagniesdrift (0.67) followed by Rennie Farms (0.57). For the Faure AgriVillage this coefficient value is considerably lower, with coefficient of achievement of 0.49, which is approximately half of what the optimum situation is. The coefficient for Enaleni beneficiaries is the lowest one (0.40).

	Availability	Accessibility	Adequacy	Stability	Coefficient of achievement
Enaleni	1,00	0,50	0,63	0,47	0,40
Faure AgriVillage	0,80	0,64	0,71	0,65	0,49
Compagniesdrift	1,00	0,72	0,72	0,83	0,67
Rennie Farms	1,00	0,71	0,60	0,77	0,59
Optimal situation	1,00	1,00	1,00	1,00	1,00

**Table 9: Matrix of achievement of individual projects**

Source: author 's work

Looking at the Figure 17, it shows that availability is the only dimension that presents itself close to the optimum situation. The supply side, hence, does not generally appear to be a problem. All respondents have available sufficient quantities of food of appropriate quality on markets in the given area, and in addition, to the vast majority of them there is available also some extra land as a source of own food production. The fulfillment of the rest of the dimensions vary across the models. Regarding adequacy, food consumption of all 25 respondents was classified as acceptable based on the thresholds created for FCS by WFP. Most of respondents reach the score substantially beyond the lower borderline value of 42, considered by the WFP to be the acceptable food consumption score. Only three informants had their level close to the borderline. It is also significant to mention that further breakdown of the coefficient emphasizes its composite nature, since it emphasizes that each numerical value represents a unique situation with individual dimensions being addressed differently. It is therefore possible to find households with similar coefficients of achievement reflecting a variation in the values of the individual dimensions.



**Figure 17: Faure Achievement surface of individual projects**

Source: author 's work

### 5.4.3 Analysis of the relationship between dimensions and sense of achievement

Calculation and graphical visualizations of the coefficient of achievement assist with the indication of the extent to which individual dimensions manifest. However, it does not reflect the relationships between individual indicators and their influence on the final value of the composite indicator. Due to the small data set, extensive statistical analysis was not undertaken. Nonetheless, by comparing the indicated relationships, it is possible to draw conclusions that support the development of a functional hypothesis.

Such a comparison are illustrated in line chart in Figure 18, which graphically represents the relationship between each main composite value and its individual indicators. The X-axis represents all respondents regardless of the project. The Y-axis represents the value of each indicator on the scale 0 to 1 for each respondent.

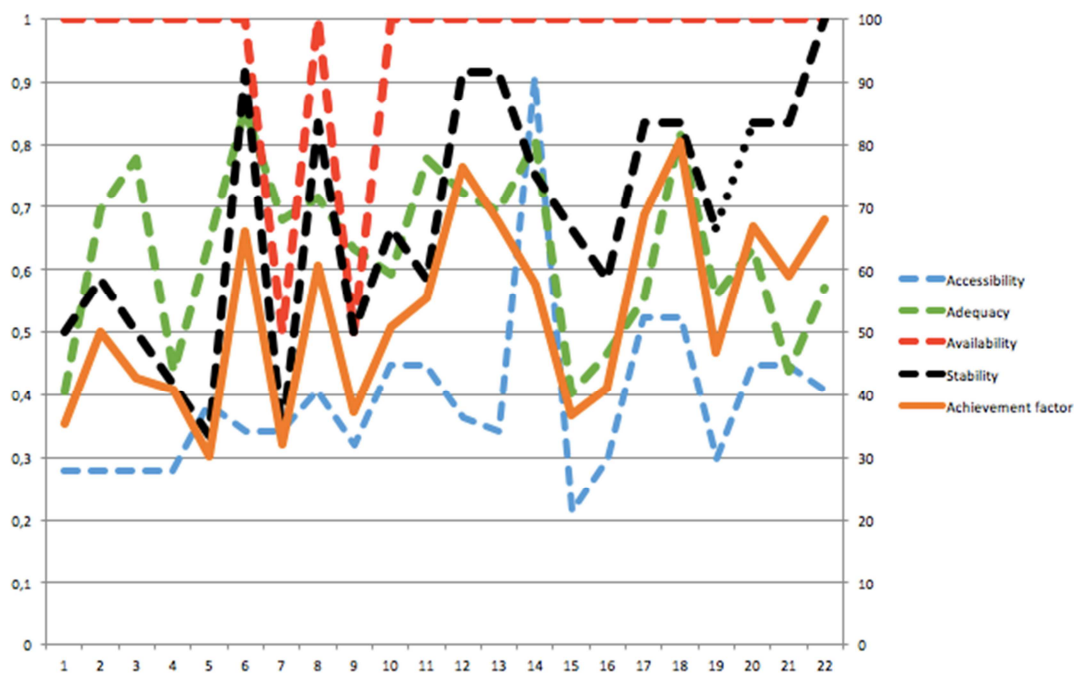
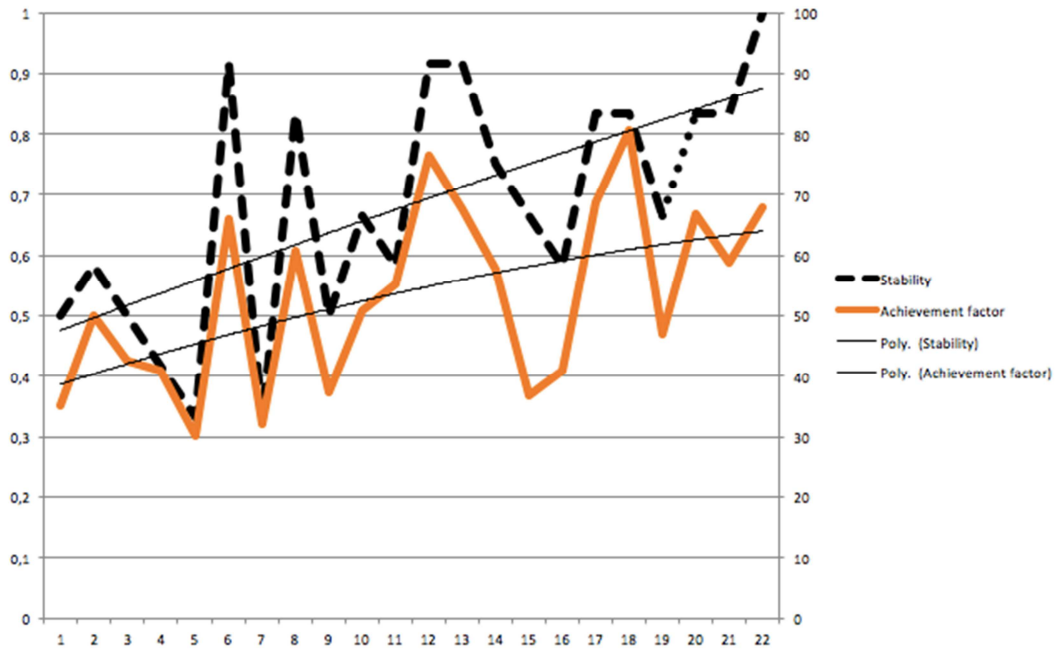


Figure 18: relationship between dimensions and sense of achievement

First impressions suggest that the dominant factor that pulls the coefficient of achievement up, down or sideways is vulnerability. A basic analysis of indicated variation suggests that the decline in the value of the stability dimension seem to correlate with decreases in the value of the coefficient of achievement and vice versa. This argument of direct proportion can be supported by the trend line as shown in Figure 19.



**Figure 19: Trend lines of stability and achievement factor**

Vulnerability differs from availability, accessibility and adequacy in that it is a more dynamic “forward looking concept” that seeks to describe how prone people are to being unable to cope with uncertain adverse events that may happen to them, diminishing their capability to secure a sustainable rural livelihood. As stated in previous chapters, it can be generally described as the relationship between risk and coping with such risks at household level. For a given risk profile, it is the varying asset status of household that determines how vulnerable they are to shocks.

With its emphasis on assets, activities and outcomes vulnerability becomes closely linked to sustainable livelihoods framework, which itself represents the extended version of a preceding approach referred to as the ‘asset vulnerability framework’. By incorporating the Sustainable Rural Livelihoods approach, the perspective of the coefficient of achievement becomes more complex. The sensitivity component turns out to be critical, since it denotes that although dimensions of Right to Food are fulfilled, people perception says that shocks can have an adverse effect on their capabilities to obtain sufficient food. In the vulnerability context as depicted in livelihood frameworks it refers to “pervasive uncertainty” in the vulnerability sequence. In other words, focusing on purely food balance aspects of the Right to Food would provide an incomplete picture at household level. It is livelihood status rather than food status that determines their food sufficiency, and it is the same livelihood status (assets, activities and outcomes) that determines whether people are more or less vulnerable to food failure as a consequence of a shock.

## 6. CONCLUSION

The overall objective of this thesis was *to examine the relationship between the land reform programme in South Africa and the objectives of the Right to Food*. Partial objectives of this study have been achieved based on following findings.

This study follows a particular line of reasoning that begins with a definition of the main concepts. Right to food is introduced as a human right well-established under international law that is fundamentally based on three key pillars: availability, accessibility and adequacy. It represents a shift from technical perspective on food security and nutrition to one based on human rights. In the South African context it has been provided a form of a 'supreme law', being explicitly entrenched in its innovative constitution, directly applicable via several international agreements and as evidenced by the number of programmes, there is a considerable political commitment in addressing this law. Against this backdrop of positive macro trends and Bill of Rights promises, however, the socio-economic reality for many South Africans remains an obstacle to people's right to food.

Land reform programme was introduced in South Africa in 1994 with the aim to achieve twin goals: to redress injustice and to promote development. It is conventionally described as consisting of three pillars: restitution, tenure reform and redistribution, all of which are mandated by Constitution. World Bank advisers helped to convince the ANC to adopt market-oriented approach to land redistribution and to liberalize the agricultural sector, arguing that this would promote both efficiency and equity. Nonetheless, two decades later, land reform has fallen short of both official government targets and the public expectations. Particular attention is paid to land redistribution was defined more into detail, describing all three broad phases reflecting change of policy agendas and ideological positions, since

Based on previously defined context, in which the study is framed, a conceptual framework that allows an analysis of the interrelationship was developed. The line of reasoning is based on the premise the objective benefit of land reform programme should support the fundamental objectives of the right to food (availability, accessibility and adequacy of food) in order to benefit the sustainable livelihoods of its beneficiaries. In this study, sustainable livelihood is considered as a tool or, more specifically, as an analytical framework that, unlike conventional approaches, offers a holistic view on the analysis of livelihoods, since provides coherent and integrated approach and denotes a variety of different types of

dynamic relationships. For the purpose of the study, Sustainable Rural Livelihoods (SRL) framework developed by Ian Scoones was utilized in the process of conceptualization, since it offers five key outcomes of sustainable livelihood that can be assessed.

Suggested conceptual framework reveals a core route that connects redistribution pillar of the land reform program with the fundamental objectives of the right to food concept through the assessment of the vulnerability outcome as an overarching point that enables a communication between the studied concepts. Selection of individual components creating this pathway was justified based on the existing literature.

Developed conceptual framework was applied on three selected projects of land redistribution based in Western Cape province in South Africa, namely *Enaleni*, *Meerlust Workers Trust* (MWT) and *Rennie Farms*. All studied projects are still at an early stage, being set up within LRAD programme period. Most of the beneficiaries were employed on the farms also before the transfer of ownership. The most dominant feature that all projects have in common is that all of them have entered into contractual arrangements, so-called *joint venture*, which is a collaboration between an established commercial firm and a new group of workers with limited commercial experience and little or no access to finance or leading-edge markets. Specific business model of each project differs.

The spatial relationship between land reform programme and the objectives of the Right to Food was analyzed through the development of a single coefficient. This coefficient reflects the multidimensionality of these concepts and culminates in providing a single numerical value that serves as an indication of the perceived degree of success of the interrelationship - the *coefficient of achievement*. It is a composite indicator that incorporates the three pillars of the Right to Food concept and the vulnerability aspect of the Sustainable Rural Livelihood framework.

The coefficient of achievement can be calculated as the ratio of the surface area enclosed by the axis values of the four indicators for the respondent, divided by the optimum area where the four axis values are used as 1. This ratio is then an indication of the degree of achievement of the optimum sought by the ideal axis values. This compound coefficient value serves two functions. Firstly, it facilitates the comparison of the experience of the realization of all four dimensions between single projects at household level and secondly, it



suggests the extent to which the land reform programme objectives are experienced to be meeting meets the objectives of the Right to Food concept.

Calculated coefficients suggest that closest to meeting the optimum situation are the beneficiaries of Compagniesdrift (0.67) followed by Rennie Farms (0.57) and, in the contrary, Enaleni project seems to be furthest from achieving the optimum (0.40). Comparison of the coefficient for Faure AgriVillage (0.49) and Compagniesdrift shows how two companies with distinguish business models applied within one single LRAD deal can substantially differ in their total sense of achievement. Graphical illustration further revealed that the situation of each project is unique in terms of the fulfillment of individual dimensions.

Analysis of the relationships between individual indicators and their influence on the final value of the composite indicator revealed that the dominant factor that influences most the direction of coefficient of achievement is stability. In other words, dimension of vulnerability has, based on the collected data, much more in common with the coefficient of achievement than the other three dimensions (which corresponds to the pillars of the Right to Food concept).

This phenomenon implies that purely focusing on the food balance aspects of the Right to Food concept would provide an incomplete and inaccurate picture at household level. The sensitivity component turns out to be critical, since it denotes that although dimensions of Right to Food are fulfilled, people perception says that shocks can have an adverse effect on their capabilities to obtain sufficient food. Incorporating of the sustainable livelihoods approach, hence, the coefficient of achievement assumes a more holistic and dynamic nature.

Coming back to the fundamental question underlying the whole study: *'Do the objectives of the land reform program sufficiently support the objectives of the right to food programme?'*, findings suggest that the question is not valid. In essence, it seems not to be possible to answer it with simple yes or no. The reason why the question has to be adapted lies in the uniqueness of the individual situations. The fact that people with exactly the same coefficient of achievement under the same programme exhibit different experience indicates that the answer lies in the ratio between the surface area of actual achievement and the surface area of optimum. Suggested question to be asked is: *"To what extent is the land reform programme effective in promoting the objectives of the right to food?"*. Since this is not a definite study, but rather a part of the process, suggested links that have to be further tested.

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## 9. ACRONYMS AND ABBREVIATIONS

ANC	African National Congress
BBBEE	Broad-Based Black Economic Empowerment
CASP	Comprehensive Agricultural Support Programme
CESCR	Committee on Economic, Social and Cultural Rights
CESCR	Committee on Economic, Social and Cultural Rights
CFSVA	Comprehensive Food Security and Vulnerability Analysis
CLA	Communal Land Rights Act
CPUT	Capetown Peninsula University of Technology
DDS	Dietary Diversity Score
DLA	Department of Land Affairs
FAO	Food and Agricultural Organization
GDP	Gross Domestic Product
ICESCR	International Covenant on Economic, Social and Cultural Rights
IFSS	Integrated Food Security Strategy
LRAD	Land Redistribution for Agricultural Development
NDP	National Development Plan
NFCS	The National Food Consumption Survey
NGO	<i>non-governmental organization</i>
NPFNS	National Policy on Food and Nutrition Security
OECD	Organisation for Economic Co-Operation and Development
PLAAS	Institute for Poverty, Land and Agrarian Studies
PLAS	Proactive Land Acquisition Strategy
RECAP	Recapitalization and Development Programme
SAHRC	South African Human Rights Commission
SANHANES	South African National Health and Nutrition Examination Survey
SASSA	South African Social Security Agency
SDG	Sustainable Development Goals
SL	sustainable livelihood
SLAG	Settlement/Land Acquisition Grant
SPII	Studies in Poverty and Inequality Institute
SRL	sustainable rural livelihood
SRL	sustainable rural livelihoods
UN	United Nations
VAT	zero rating value-added tax
WHO	World Health Organization
WSWB	willing buyer-willing seller