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

Introduction

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

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

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

Why the Rising Discontent?

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

Table 4.1 *Citizens' activism*

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

Source: SAPS 2019: 151

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Why Is Food Activism Rare in South Africa?

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

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

Land Contestation and AbM

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

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

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

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

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

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

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

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

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

Youth Mobilisation and FMF

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

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

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[2] Sir Rhodes was infamous for being a racist English coloniser and businessman.

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

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

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

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

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

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

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

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

Agitating to Live and TAC

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

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

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

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

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

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

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

Drawing Lessons for Food Activism

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

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

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

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

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

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[4] For a thorough discussion of this group, see Chapter 4 of this book.

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

In Place of a Conclusion

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

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

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

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