

EVENT

Expert Symposium on Social Justice, Hunger and the Constitution

Paula Knipe

Introduction

On 5 September 2024, the Centre for Social Justice at Stellenbosch University hosted an Expert Symposium on Social Justice, Hunger, and the Constitution at Bertha Retreat Boschendal, Franschhoek. Facilitated by Prof Thuli Madonsela, Director of the Centre and former Public Protector, the symposium gathered experts, including policy-makers, corporate representatives, and civil society organisations, to discuss ways to address the hunger crisis in South Africa, not just as a symptom of poverty but as a systemic failure within society.

Prof Madonsela anchored the discussion around the concept of ubuntu, underscoring that society has a collective responsibility to ensure that no one goes hungry. This emphasis on ubuntu, a philosophy of interconnectedness, aligns with the constitutional ideal that access to food is a right, not a privilege, and must be upheld as a societal obligation. Madonsela posed thought-provoking questions throughout the symposium, asking who is responsible for ensuring the right to food is met. Does the Constitution sufficiently hold duty-bearers accountable? Have we failed the Constitution, or has it failed us?

The discourse during the symposium highlighted that despite constitutional protections under section 27 guaranteeing access to sufficient food and water, South Africa continues to grapple with high levels of food and nutrition insecurity. Deputy Minister of Justice Andries Nel's keynote address illustrated this reality, pointing to the 'dissonance between our constitutional commitments and the lived reality of people in their daily lives'. With 20 million citizens

experiencing food insecurity, and a staggering amount of food waste annually, the symposium underscored the paradox of hunger in a nation capable of meeting its people's nutritional needs. This gap between policy and practice, often termed the 'implementation gap', has become a focal point for addressing hunger in South Africa.

Speakers discussed several systemic barriers contributing to food insecurity, including socio-economic inequality, corporate control of food, and inefficient policies that contribute to waste rather than a redirection of food resources. For example, while South Africa produces enough food to sustain its population, much of it is managed by large agro-processing corporations with vested interests, resulting in high prices and limited access for those with fewer economic resources. This economic imbalance compounds issues of accessibility, as impoverished communities are often unable to afford nutritious food, furthering the cycle of hunger and poverty.



These mechanisms could provide marginalised groups with avenues to hold the government accountable for fulfilling their right to food.

Experts argued for a fairer redistribution of resources, urging businesses to adopt a social justice-oriented approach, as highlighted by Zinzi Mgolodela, the director of Corporate Social Justice at Woolworths, which has begun redirecting surplus food to community programmes.

The symposium's discussions also brought to light the vulnerability of certain population groups, such as children, women, and those in rural areas, who are disproportionately impacted by food and nutrition insecurity. The inadequacies of social safety nets, particularly for children not attending formal schooling or for students in tertiary education, were highlighted as urgent areas for improvement.

Moreover, the symposium highlighted the importance of sustainable practices in achieving long-term food and nutrition security. The participants advocated for food sovereignty, a model empowering communities to control their food systems. Through local food production and sustainable agricultural practices, communities could reduce dependency on large corporations and build resilience against economic shocks. However, participants noted that for small-scale farming to succeed, government support is crucial, from financial incentives and technical training to land accessibility. Sustainable approaches, participants emphasised, must form the foundation of any hunger-alleviation strategy to ensure food security that endures through generations.

Public interest litigation and law and policy 'stress tests' emerged as practical strategies to close the implementation gap in food and nutrition security frameworks. These mechanisms could provide

marginalised groups with avenues to hold the government accountable for fulfilling their right to food. Strategic litigation was highlighted as a tool to challenge the government on specific instances of failure to meet food- and nutrition-security obligations. Moreover, implementing stress tests for new laws and policies was proposed to assess their impacts on vulnerable populations, ensuring that no group bears an unequal burden due to legislative decisions that fail to consider the needs of all of society.

In closing, the symposium reiterated the need for a collaborative approach to realising the right to food as a constitutional guarantee. Moving beyond charity and temporary measures, South Africa has the potential to establish a food system rooted in justice, sustainability, and human dignity. The call to action was clear: hunger must be recognised as a constitutional imperative, with all stakeholders, from government bodies to private corporations and civil society, committing to sustained and meaningful reform through legal activism, robust policy and advocacy, and government accountability.

Through unified efforts, South Africa can work toward a just, resilient food system that truly fulfils the constitutional promise of dignity and security for all.

More details of the event can be accessed at <https://goto.now/mt47Z>.

Paula Knipe is a doctoral researcher with the Socio-Economic Rights Project at the Dullah Omar Institute, University of the Western Cape.



Public interest litigation and law and policy 'stress tests' emerged as practical strategies to close the implementation gap in food and nutrition security frameworks.

Contact

Socio-Economic Rights Project

Dullah Omar Institute for Constitutional Law,
Governance and Human Rights

University of the Western Cape
New Social Sciences Building
Private Bag X17, Bellville, 7535



Tel: (021) 959 2950



Fax: (021) 959 2411



Email: serp@uwc.ac.za



Website: <https://dullahomarinate.org.za>