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The Media, the State and South African's Constitutional Right to Food

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ABSTRACT

The media's role as the fourth estate is to ensure the country's adherence to the Bill of Rights that are written into Chapter Two of the South African Constitution. Newsrooms apply this principle to upholding democratic political processes and holding government to account. Included in this is the fact that the Constitution specifically refers to citizens' right to food. The media in South Africa needs to understand the broader complexity of the food value chain if it is to hold the government accountable in terms of how the state gives effect to the right of its citizens to food.

INTRODUCTION

If it bleeds, it leads. This rather notorious payoff line comes from the media's propensity to give front page, top-billing coverage to violence or macabre drama, since it all too often leads to higher newspaper sales or increases viewer or listener numbers. In the context of the food security story, the poster child of the lead story is the emaciated famine victim typical of those seen in the refugee camps in northern Kenya in mid-2011 when the Horn of Africa was struck by widespread drought that year.

Some Independent Newspapers' titles reported that over 100 000 Somalis were either fleeing the food-deprived rural areas for the war torn capital of Mogadishu, or were streaming across the border into camps in northern Kenyan.

The Cape Times ran a front page lead with the photograph of an infant: his skin pulled drum taut over his fragile birdcage ribs; his eyes give an exaggerated look of surprise as they seem to bulge from his sunken face; the disembodied hands of a healthcare worker presses a stethoscope's diaphragm to the side of his chest. A few days later, on 2 August 2011, the same paper ran a story claiming that there were "385 000 malnourished children in northern Kenya who, with 90 000 starving pregnant and breastfeeding women, are caught up in a catastrophe. While the world focuses on Somalia and the starting refugees pouring across the Kenyan border, Kenya is on the brink of its own famine, with 3.5 million people at risk of malnutrition".

Famine like this represents the most extreme case of food insecurity, and scenes of the resultant starvation are easy to document, particularly for the here-today-gone-tomorrow roving news reporter.

This is typically how food shortages in the rural context manifests itself, explains Professor Daniel Maxwell, research director for food security and complex emergencies at the Feinstein International Center.

The other typical food security story is that of the farmer. Farming and agricultural production are at the headwaters of the food value chain. Everything that makes it onto a consumer's plate, ultimately trickled down from the farmer's lands, usually in the countryside. Newsrooms tend to probe this story from angles that impact the farmer: the economics of farming such as the rising cost of inputs like oil which impact on the price of petrol, diesel and fertilisers; the politics of land redistribution; regional weather which impact on yields.

But a vast spectrum of other stories exist between the farmer, the food "producer", at one end of the food value chain, and the extremes of the rare famine victim, the food "user", on the other end of the food value chain. This is particularly true in the modern context where 60 percent of South Africans now live in cities, far from the farmlands where the food security eye appears fixed.

It is particularly true since food appears almost ubiquitous in the urban landscape. It is all around us. So how could anyone in such an apparently food abundant context suffer from food insecurity? How could they be hungry or malnourished?

As shall be discussed, in the city context, food insecurity is not linked with shortages of food, but rather the inability of families and households to access the food that is already present in the city in relative abundance, writes Maxwell. In response, families will adopt a number of idiosyncratic responses in order to cope, many of which are "invisible".

This begs the question: if hunger and malnutrition aren't obvious to the naked eye, how does the journalist become aware of the issue and report on it effectively?

WHAT IS FOOD SECURITY?

One of the earlier definitions of food security, agreed upon by the United Nations Food and Agriculture Organization (FAO) in 2001 is that food security occurs when "all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life".[i]

It also needs to consider *how* people access that food, for instance it has been suggested that food security should also refer to the right to food, which should, at the very least, include "an available, adequate, dependable and sustainable food supply and an assured ability to acquire nutritious and culturally acceptable foods through normal food distribution channels". [ii]

Simply put, food security is about people being able to access safe, wholesome food that meets their body's dietary needs and which matches their palate or cultural preferences. People need to be able to access food in a culturally appropriate way. For instance, if prostitution is frowned upon in a

community, then resorting to it in order to buy food would be regarded as undermining that person's food secure status.

When people in a home live without hunger or the fear of starvation, their home is regarded as food secure, states the Human Science Research Council in the 2009 report *The Assessment of Food Insecurity in South Africa*. Food should be available in the home, and the people living there should be able to access it. [iii]

The HSRC report, drawing on the definitions of the United Nations Food and Agriculture Organization (FAO) defines varying scales of household food security[iv]:

- A household is regarded as "highly" food secure if the people living there have "access to adequate food constantly without difficulties or anxiety".

- It is "marginally" food secure if people have "difficulties at times or anxiety about accessing adequate food, but the quality, variety and quantity of their food intake is not substantially reduced". This definition now begins to incorporate an emotional and psychological component – that it is not just about having a full belly, but not living in fear of not being able to fill one's belly.

- "Low" food security occurs when the "quality and variety of the person's food intake are reduced, but … the quantity of food intake and normal eating patterns are not substantially disrupted". In this context, a person could gain weight, in spite of falling on the lower end of the food security gauge, since a person can bulk up on bulky foods that are high in calories but low in nutrients, in order to avoid the discomfort of hunger.

- Finally, a family will have "very low" food security if the "quantity of the food intake and normal eating patterns are disrupted at certain times of the year, due to the household lacking money and other resources to access food". At this level, not only is the family receiving low-nutrient intake, but the number of calories they are getting in a day is beginning to fall away. It is at this point that a person's body weight might drop, for the first time giving visual cues of the food insecure state of the household.

These respective states of food insecurity could either be "transitory", like a passing weather system, or it could be "chronic", as if it were the broader "climate" for the family's socio-economic circumstance.

"In its chronic form, (food insecurity) translates into a high degree of vulnerability, such that it is associated with the consumption of inadequate or nutrient- poor diet, ill health, delayed development as well as increased infant mortality (in severe and extreme cases)," states the HSRC report. "Consequently, the effects of poor health among poorer people manifest in various ways and, within households, are often associated with diminished ability to obtain work and to generate income."

In order to understand some of the differences in the food security definitions it might help to look at the following figures: nationally, South Africa is regarded as food secure. It grows enough food for everyone and has enough to export. And yet, according to agricultural economist Herman van Schalkwyk, "14% to 52% of households are food insecure", depending on what sources used.

Furthermore, by the end of the last decade, for instance, the hunger scale index (one way of measuring food insecurity) found that half of all South Africans experienced hunger, and a third were at risk of hunger.[v]

Furthermore, a study by the Office of the Presidency found in 2007 found that almost every South African, even in the most rural, subsistence economies, gets some of his or her food through exchanging cash for goods. [vi]

By 2000, only 5 percent of South African families relied on food production as their main source of food, according to the National Labour and Economic Development Institute Research Report of 2002.[vii] Meanwhile a fifth of the country supplemented their household food supply using agriculture. That means cash remains critical for families in terms of ensuring they have access to healthy, culturally appropriate, safe food every day to meet their needs for a healthy and active life.[viii]

Families, therefore, must either have access to a job, run a small business, or tap into the state's grant system in order to access money and buy food.

However many of these definitions of food security overlook one fundamental issue, namely the vulnerability of all city dwellers to the fragility of the food flow system, regardless of their economic wellbeing.

Carolyn Steel points out in *Hungry City* that even middle-class city people are on the receiving end of an efficient but extremely fragile food supply chain. A truck drivers' strike, or a frozen spell similar to those seen in Europe early in February 2012, or a flood that washes away key bridges linking the rural food supply with the urban markets – these are all events that could stop the flow of food into cities and dry up stock in supermarket shelves.

THE HIDDEN HUNGER

An obvious consequence of food insecurity is starvation and famine, as mentioned above. But there are other forms and manifestations of food insecurity that are far less visible and much more pervasive than the famine seen in Somalia in 2011: hunger, which at the level of the individual refers to the "feeling of pain or discomfort, or (in extremes) an exhausted condition, caused by lack of food", according to the Oxford Dictionary[ix]; and malnutrition which could come in the shape of a lack of nutrients, or an over abundance of nutrients.

UNICEF defined malnutrition as "a broad term commonly used as an alternative to undernutrition but technically it also refers to overnutrition. People are malnourished if their diet does not provide adequate calories and protein for growth and maintenance or they are unable to fully utilize the food they eat due to illness (undernutrition). They are also malnourished if they consume too many calories (overnutrition)."[x]

These conditions are seldom visible to the naked eye, however. This is particularly true for the case of under-nutrition, which is why this form of malnutrition is often referred to as the hidden hunger.

But according to the South African Human Rights Commission (SAHRC), "(f)ood security is a critical issue in South Africa and it is estimated that approximately 14.4 million people are vulnerable to food insecurity. In 2009, the General Household Survey revealed that 20% of South Africans have insufficient or severely insufficient access to food".

Furthermore, the World Bank estimates that nearly a third of all South African children are undernourished, while over half of all adults (55% of those aged 15 or older) are either overweight or obese, and urban children are twice as likely to be overweight than their rural counterparts.[xi]

The National Planning Commission's latest findings support this, stating that "many (South African) infants and one in five young children experience stunted growth. Micronutrient malnutrition – particularly deficiencies of vitamin A, iron and zinc – affects the health, growth and learning abilities of young children and the productivity of the adult population. At the same time, and often in the same communities and households, obesity contributes significantly to the incidence of chronic diseases, including type 2 diabetes, cancer and coronary artery disease."

THE CONSTITUTIONAL OBLIGATION

The Constitution of South Africa says that everyone has "the right to have access to... sufficient food and water" and that the state "must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights".

And as the SAHRC points out in its Economics and Social Rights Report (5th Report 2002/2003), published in 2004, the inclusion of social and economic rights in chapter 2 of the South Africa Constitution, the Bill of Rights, "was a clear articulation that democracy was as much about the right to vote, and of free expression and of association as it was about the right to shelter, the right to food, the right to health care, the right to social security, the right to education and the right to a clean and healthy environment".[xii]

Similarly, the SAHRC is tasked with monitoring the organs of state in terms of how they have realised the rights of South Africans, as laid down in the Bill of Rights "concerning housing, healthcare, food, water, social security, education and the environment".

Following a series of public hearings in 2009 to ascertain how effectively the government was acting in terms of realising its citizens' right to food, the SAHRC found the following: [xiii]

- Government initiatives designed to address food security were largely to "facilitate access to food through capacity-building and income generation". These generally proved to be "temporary in nature and fail to address the long term food needs of South Africans".

- There wasn't good coordination between government departments, and between government and civil society. "This is demonstrated by the variance between allocation and spending in some government departments, unfilled posts, under-skilled staff and the general inefficiency of service delivery," the HRC stated.

- Government isn't acting as efficiently or speedily as the situation demands.

- Province-level initiatives are "not always based on clear, measurable targets and indicators" which are needed in order to give effect to the right to food.

Indeed, the National Planning Commission admitted in its recently released policy strategy for the next three decades, that while "(f)ood and nutrition security is a top priority of government. However, currently policy is fragmented and under-resourced". [xiv]

MEDIA RESPONSE

Journalists entering newsrooms usually start out as general reporters, covering a wide range of subjects as stories are fed to a news desk. However once a journalist has obtained greater experience, they may begin to specialise in one area of reporting, such as politics, economics, court, municipal or health reporting.

This "beat" reporting is an important specialisation. It also reflects the newsroom's tendency to categorise stories by subject. While this may allow for a smoother processing of stories through the news production process, where it falls short is in the case of stories that don't fit neatly into these categorisations. It might also prevent a cross-over of information and ideas between different beats.

The failure of this "ghettoisation" of news is most clearly evident in the evolution of the climate change story in newsrooms, and the same might be said for the food security story.

The environmental beat is a relatively new addition to the newsroom landscape, going back three or four decades. Since the early days of reporting on climate change, the issue was largely viewed through the lens of the impact on the environment, thus the climate change story belonged to the environmental reporter.

But the implications of climate change extend much more broadly than this, particularly as global efforts to negotiate emissions reduction laws under the United Nations began to fold over the past two decades. Increasingly it became evident that there were issues emerging from the broader climate change story that touched on the political beat, the foreign desk, the health sector, energy, economics, local city management and so on. However many of the journalists covering these beats were not prepared for the shift and found themselves ill equipped to address the complexity of these new angles on climate change reporting.

For this reason, many localised climate change stories tended to go unreported or were treated superficially. All too often, the journalistic imperative to give "both sides of the story" prevailed, meaning that newspapers gave disproportionate coverage to dissident views on climate change. These editorial decisions were made even though dissident views increasingly appeared out of step with the conclusions of science, which showed very high certainty about the extent and likelihood that humans were causing climate change.

One might argue that the ghettoisation of the newsroom can similarly influence how effectively issues of food security are reported, which might impact on how effectively the media operate as watchdogs of the state regarding how it gives effect to its citizens' right to food.

Food security is usually viewed as a matter concerning either agricultural production or famine. This means that the stories will often be handled by publications and writers attending to agriculture issues, such as Farmer's Weekly or Engineering News. Or, since food insecurity of the severity that results in regional famine does not occur in South Africa, this kind of story will come through the foreign desk in a newsroom.

Issues of malnutrition will usually be treated from a health or development perspective by the health writer, and will often not be connected with the broader topic of food security.

This begs the question of whether, for instance, the political writer is covering stories from a food security perspective? What of the municipal reporter, the economics writer, the court reporter?

Food travels along a long, and occasionally resource-intense food value chain, this means that there are many additional sectors and industries in society which impact on food security in the urban context, but which are not scrutinised by the media from the perspective of the food security lens.

The food value chain includes, but is not limited to, the following:

- Agricultural *inputs* could come from sectors that are upstream of the farmer, include those that produce fertilisers, pesticides, fuel, seeds and the likes;

- *Agriculture* can be impacted by environmental factors (extreme weather events, regional climate, soil use and degradation), farmer capacity, water resources, crop and seed selection, labour issues. The availability and cost of these, and upstream inputs, can be influenced by a wide variety of global and local factors such as international trade agreement, agricultural subsidies in the global north, the cost of oil, extreme weather events impacting on the availability of a grain commodity in global markets and hence local prices, through to local labour issues, implementation of land restitution policies, cultural attitudes towards certain agricultural commodities and how this impacts on demand, labour relations issues and so forth.

- *Farmer to market*: the journey which food commodities follow from farm to the urban market involves the transportation sector, food processors, refrigeration, packaging, warehousing and wholesaling.

- *Retail*: this involves everything from large scale supermarket chains and restaurant franchises, to small independent shop owners and eateries; the informal sector, while often less quantifiable in terms of its value to the regional economy, should not be forgotten

- *Consumer*: many factors determine what food consumers are able to access, what decisions they make around that access, and how they choose to utilise that food once they have it; factors coming into play here could include the where the consumer is in relation to the layout of the city (are they in a well resourced middle class suburb within driving distance of a supermarket; or are they in a working class neighbourhood with only public transport at their disposal, and no supermarkets?); how the pressures of working and commuting impact on time available to buy and cook food; cultural attitudes towards certain foods; food safety; the nature of housing (is a family in a formal structure with access to electricity and clean water, which impact on the ability to store, prepare and use food safely, or are they in an

informal structure without access to the grid?); advertising and marketing, particularly towards children; evolutionary drivers which influence our relationship with foods that are high in fat, sugar and salt; etc.

An analysis of the food value chain is instructive in terms of understanding how cross-cutting the sectors are in the system that brings food from the farmer to the market. Understanding this can help inform newsrooms about how other beat reporters might cover food security related stories.

CONCLUSIONS AND RECOMMENDATIONS

It has already been indicated that the Constitution of South Africa upholds the right of all South Africans to have access to sufficient food and water and that the state "must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights".

Meanwhile the Presidency's National Planning Commission, in its report released in August 2012 outlining the government's suggested policy focus between now and 2030, defines food security in similar terms to those used by the United Nations FAO, in that: "Food security exists when everyone has access to sufficient, nutritious and safe food at all times. This implies that food must be available and that people must have the means to access it."

The SAHRC is mandated by the state to track the government's realisation of these rights. But how do the country's media perform in terms of following government's performance in this regard, acting as the public watchdog, and holding the structures of government accountable?

Unfortunately no empirical study has been done to analyse the extent and effectiveness of the South African media's coverage of food security issues, particularly with regards to government's obligations in terms of the Bill of Rights.

It is recommended that such a study be conducted. Similarly, it is recommended that the capacity building take place within newsrooms, to train up journalists in the cross-sectoral, cross-disciplinary nature of food security.

The Human Rights Commission's 2004 report on the state's responsibilities regarding upholding the right of its citizens to food, recommends the following: "public education to raise awareness of malnutrition, rolling out the Integrated Food Security Strategy at a provincial level, improving food safety, achieving better regulation of the food industry through State procurement, accelerating agrarian reform, and communication policy and legislative developments more effectively."

The report recommends for greater interaction between "government, labour, community and business representatives to negotiate an agreement at the National Economic Development and Labour Council (NEDLAC) to ensure the right to food and quality job creation in the food industry".

In the SAHRC's Terms of Reference outlining its function as a Section 5 Committee on the right to food, it lists how it should tracks the state's ongoing obligations regarding upholding citizens' right to food.

The SAHRC requires that government should:

- "Implement a more rigorous, integrated planning process involving all relevant national, provincial and local government departments including NGOs and FBOs to ensure that targets and outputs are measurable and meaningful".

- That issues of service delivery efficiency and effectiveness must be "improved by focusing on the development of service delivery skills and capacities, particularly at a provincial and local government level".

- The government should expand "the scope of programmes... to include food-stressed people outside the categories of vulnerable people so that they have access to food".

- Finally, the "negative impacts of the land tenure and land reform policies on food security" should be assessed critically by the state.

These could be used effectively by the media establishment as a prompt for journalists in order to provide greater scrutiny. If journalists were to use similar criteria for tracking government effectiveness, they might provide deeper analysis of the issues associated with food security.

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