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Contact us
Email: admin@ifaaza.org
Website: www.ifaaza.org
Facebook: @InstituteforAfricanAlternatives
Twitter: @IFAACT
Instagram: @ifaa_new_agenda
YouTube: https://www.youtube.com/channel/UC8ZTT4EOd8GAar- HwezS5kSA
Tel: +27 21 461 2340
Address:
Community House, 41 Salt River Road, Salt River , Cape Town 7925

Publishers
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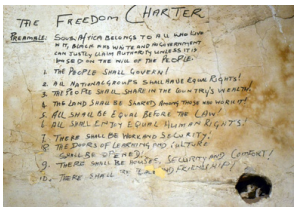


Editorial

by Martin Nicol

Why is South Africa's food safety governance failing?

In recent years South Africa has seen spectacular and distressing instances of food poisoning in which people have died after eating contaminated food from retail outlets.

In 2024, 23 children died in Gauteng after eating "snacks purchased from spaza shops" (Parliament, 2024). Others became ill and many were hospitalised. Between September and November 2024, a total of 890 incidents of food-borne illnesses were reported across all provinces in South Africa (Ramaphosa, 2024). "In most cases, the illness started after food bought from spaza shops were consumed, but to date, no one has been held responsible" (Korsten, 2025:13).

In 2023, at least five children died in Gauteng and Free State after eating food from local spaza shops, according to press reports (Korsten, 2025:49).

In 2017/2018, between January 2017 and July 2018, 219 people died in the largest listeriosis outbreak ever recorded. There were deaths in all nine provinces. The illness was caused by contaminated food – in this case processed red meat (polony).

South Africans are faced with basic food safety governance failures.

This is inexcusable.

South Africa has some of the best and most experienced food scientists in the world. They have their own professional body, the 65-year-old South African Association for Food Science and Technology (SAAFoST). They are internationally linked through conferences, world unions and exchanges. All practising food scientists and technologists have to register with the legislated regulatory body for natural science professionals, the South African Council for Natural Scientific Professions (SACNASP), and participate in continuing professional development (CPD) programmes. Then there are the many tertiary education institutions providing training at all levels and contributing to internationally-respected food research.

South Africa has a comprehensive legal framework for food safety, buttressed by acts of Parliament, regulations, government departments and a host of agencies - with well-paid senior staff - including the National Consumer Commission, the National Regulator for Compulsory Specifications and the South African Bureau of Standards.

The reasons for the failure in food governance are interrogated in the key article in this issue of *New Agenda*. Joint authors Ntombizethu Mkhwanazi, Camilla Adelle and Lise Korsten focus on the 2017/18 listeriosis outbreak and the long efforts to put in place proper standards for producing, storing and selling processed red meat.

The article explains the failures of South Africa's systems for ensuring food safety. But it is useful to reflect on issues that have followed the specific tragic events that occurred (see NCC, 2018).

Tiger Brands, the main company implicated, has never admitted any fault or negligence in the management of the Polokwane factory they owned through Enterprise Foods (see Tiger Brands, 2018-present), and which the Department of Health eventually identified as the source of the contaminated food (Donnelly, 2018).

Seven years later legal claims have still to be resolved by the courts. These include claims by mothers who were pregnant when they were exposed to contaminated food and some of whose children suffer from severe developmental conditions as a result (Spoor, 2018). In December 2018, the Gauteng High Court, Local Division, certified a class action on behalf of defined people who suffered harm because they ate the contaminated products. According to Richard Spoor, the lawyer who is leading the Class Action against Tiger Brands, the compensation to be paid out to victims (if the courts find the company liable) could be between R1.5-billion and R2.5-billion.

In February 2025, Tiger Brands reached an agreement with the lawyers for advance payments to be made to some claimants seeking interim assistance to cover urgent medical needs, while the class action lawsuit on the 2017/18 listeriosis outbreak continues (Arnoldi, 2025).

The listeriosis outbreak was catalytic in overcoming industry resistance and advancing the implementation of essential food safety measures like Compulsory Specification for Processed Meat Products, known as VC 9100, which became effective in October 2019.

The article suggests that this single regulatory change, necessary as it was, left many wider issues unaddressed. Fundamental, systemic revisions are still needed to secure food safety for South Africans.

Spaza Shop Support Fund – a case of 'ill-informed design'

In the wake of the spaza shop poisoned food incidents, the Department of Small Business Development launched a R500 million Spaza Shop Support Fund in April 2025 (DSBD, 2025). Owners of small shops and food handling businesses in townships and rural areas can apply for assistance to enhance food safety by addressing challenges like poor hygiene and premises that need upgrading, refrigerators and washing facilities.

The funding and business development support are however not available to spaza shops owned by non-citizens. Also, before an owner can apply for assistance, they have to be registered "with the local municipality in accordance with the relevant by-laws and business licensing requirements"; they must have a valid registration with the South African Revenue Service (SARS) for income tax and value-added tax (VAT); and they must already satisfy all other relevant legislative and registration requirements necessary for operation (e.g. food preparation and health and safety standards).

Spaza Shop, Khayelitsha, Cape Town *Source: Wikimedia Common.*

In other words, the assistance largely avoids the informal and non-compliant businesses which were responsible for the food poisoning!

The emphasis on formal businesses as the only beneficiaries of the Fund contradicts South Africa's 2023 re framing of its National Small Business Support Strategy. This emphasises *better* regulation indeed, but it says: "The [new plan] does not support conceptually an approach to force transition to formality. The transition to formalising businesses is not a linear process. Attention needs to be given in understanding the needs of these enterprises to graduate into the formal economy hence a targeted approach in this regard is fundamental including the targeting of women, youth and people living with disability-led enterprises as well as rural and township based small enterprises" (DSBD, 2023:20)

The "ill-informed design" (DSBD, 2023:13) that has characterised small business support programmes since 1994 seems to continue. But there are sure to be takers for the R500 million in grants.

REFERENCES

Arnoldi, M. (2025, February 3). Tiger Brands to pay out some listeriosis victims while class action progresses. *Engineering News*. https://www.engineeringnews.co.za/article/tiger-brands-to-pay-out-some-listeriosis-victims-while-class-action-progresses-2025-02-03

Bhana, A. (2024, November 4). Contaminated food claims a child's life in Alexandra township. *Mail & Guardian*. https://mg.co.za/news/2024-11-04-contaminated-food-claims-a-childs-life-in-alexandra-township/ Cited as "Gauteng Alexander 2024 November" in Korsten, 2025.

Department of Small Business Development (DSBD) (2023, February 17). *National Integrated Small Enterprise Development (NISED) Strategic Framework (Masterplan)*. GN 3054 Gazette 48063. https://www.gov.za/sites/default/files/gcis_document/202302/48063gon3054.pdf

Donnelly, L. (2018, March 9). Listeriosis: Mind the regulatory gap. *Mail & Guardian*. https://mg.co.za/article/2018-03-09-00-listeriosis-mind-the-regulatory-gap/

DSBD (2025, May 21). Progress Report on the Spaza Shop Support Fund Date: 21 May 2025 Presenter: Ms Thulisile Manzini [Director General DSBD]. https://pmg.org.za/committee-meeting/40763/

Korsten, L. (2025, January 28). The Right to Safe Nutritious Food for All. Presentation to Parliament: Portfolio Committee on Agriculture. https://static.pmg.org.za/250128Slides_for_parliament.pdf

National Consumer Commission (NCC) (2018). *2017/2018 Annual Report.* https://thencc.org.za/wp-content/uploads/2023/06/2017-2018-Annual-Report.pdf

Parliament (2024, November 13). Unrevised Hansard: Plenary – National Council of Provinces. Mr W M Thring. https://pmg.org.za/hansard/39859/

Ramaphosa, C. (2024, November 15). Address by President Cyril Ramaphosa on deaths of children due to food-borne illnesses, Union Buildings, Tshwane. https://www.thepresidency.gov.za/address-president-cyril-ramaphosa-deaths-children-due-food-borne-illnesses-union-buildings-tshwane

Spoor. (2018). Monthla Ngobeni & Others v Tiger Brands Limited & Others Case #:12835/2018 – Richard Spoor Inc. https://rsinc.co.za/monthla-ngobeni-others-v-tiger-brands-limited-others/

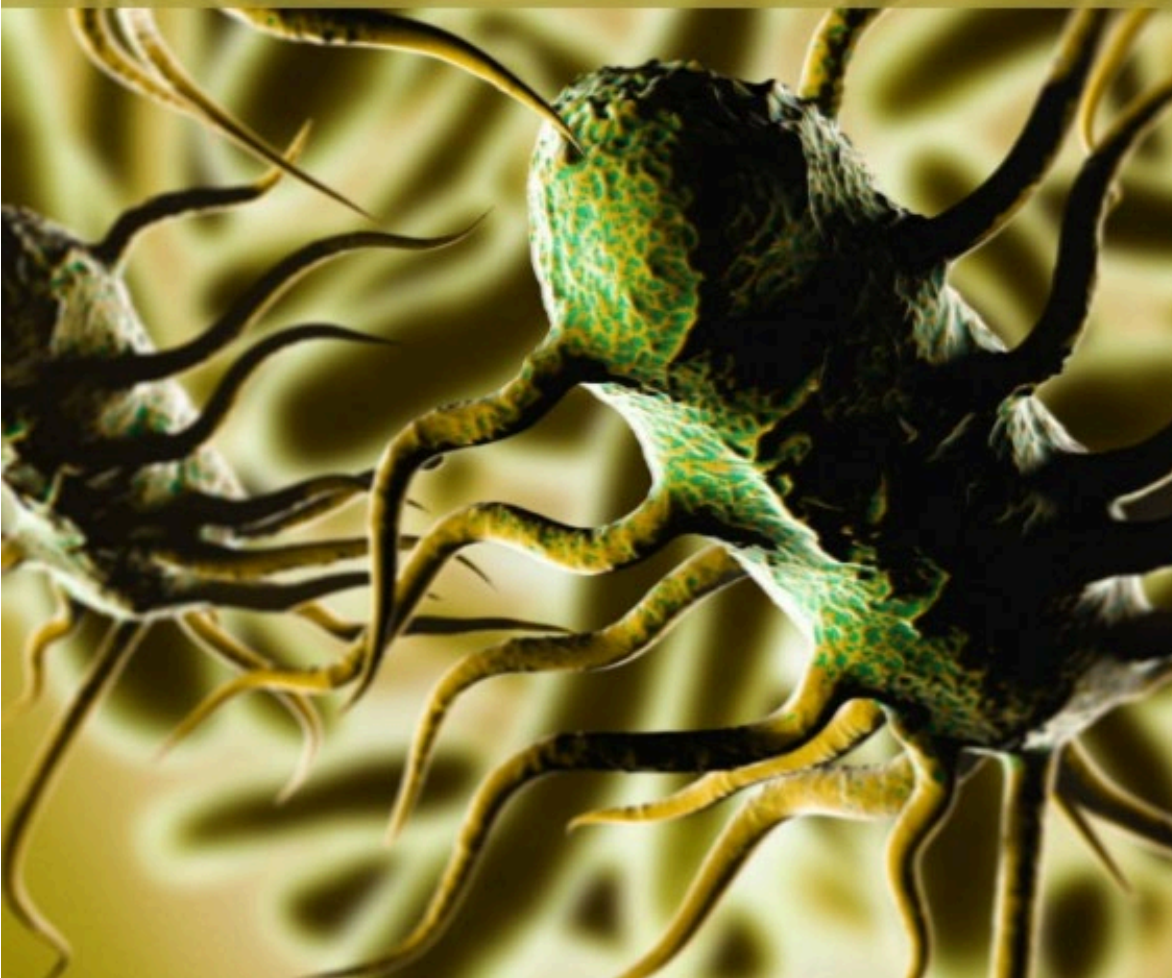
Tiger Brands. (2018-present). Listeria Related Press Releases https://www.tigerbrands.com/sustainability/commitmentfoodsafety/listeriarelatedinformation/ListeriaPressReleaseArchive [Accessed 13-Jun-2025]

Power Dynamics in Food Safety Governance:

The Case of South Africa's Compulsory Specification for Processed Meat Products

By Ntombizethu Mkhwanazi, Camilla Adelle and Lise Korsten

Between January 2017 and July 2018, listeriosis led to the deaths of 216 people across South Africa. NTOMBIZETHU MKHWANAZI, CAMILLA ADELLE and LISE KORSTEN consider the role that power dynamics played in the failure of food safety governance to prevent the listeriosis outbreak. Corporate influence prioritised financial concerns over public health protection. This intersected with poor co-ordination between the array of government entities working within a fragmented food safety system.



Navigating power dynamics in food safety governance:

The case of South Africa's compulsory specification for processed meat products

Ntombizethu Mkhwanazi 0000-0002-9387-1563

Corresponding author - Email: ze2mkhwa@gmail.com

Department of Political Sciences, Humanities Faculty, University of Pretoria, Gauteng, South Africa

Camilla Adelle 0000-0003-4500-0496

Department of Political Sciences, Humanities Faculty, University of Pretoria, Gauteng, South Africa

Lise Korsten 0000-0003-0232-7659

Department of Soil and Plant Sciences, Faculty of Natural and Agricultural Sciences, University of Pretoria, Gauteng, South Africa

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Abstract

The 2017–2018 listeriosis outbreak in South Africa had a severe impact on the processed meat industry, prompting significant regulatory changes including the development of the Compulsory Specification for Processed Meat Products (VC 9100). This regulation aimed to improve food safety standards by mandating the implementation of a Hazard Analysis and Critical Control Points system across all processed meat production facilities. Drafting of the VC 9100 was initiated in 2013 following concerns that existing voluntary standards were inadequate for protecting public health. However, progress was hindered by strong resistance from industry stakeholders who argued that compliance would be financially burdensome, particularly regarding the costs and levies associated with its enforcement. The listeriosis outbreak, which resulted in over 219 deaths, dramatically shifted the regulatory landscape. The crisis brought food safety to the forefront of the national agenda, compelling the government to accelerate the development and implementation of VC 9100. Despite the urgency, industry resistance persisted, with stakeholders lobbying for reduced levies and delaying the regulation's full enforcement. This case study highlights the complex interplay between public health priorities and industry interest in food safety governance. It also demonstrates how crises can serve as catalysts for regulatory change, with the listeriosis outbreak playing a pivotal role in overcoming industry resistance and advancing the implementation of essential food safety measures.

Keywords: Foodborne illness, food safety, legislation, listeriosis, South Africa, VC 9100

Introduction

The listeriosis crisis in South Africa (2017–2018) had devastating human and economic consequences. The outbreak, which was only officially declared by the Minister of Health, Dr Aaron Motsoaledi, on 5 December 2017, resulted in 1,060 confirmed cases and 219 deaths, making it one of the deadliest listeriosis outbreaks globally. Gauteng experienced the highest infection and mortality rates, while the Northern Cape had the lowest. The loss of life was the most tragic aspect of the outbreak, overshadowing the economic losses incurred, significant though these were.

The source of the outbreak was traced to ready-to-eat (RTE) processed meat products from Enterprise Foods' Polokwane production facility, leading to a nationwide product recall on 4 March 2018. The processed meat industry, particularly the pork sector, suffered severe financial damage, with estimated losses reaching R1 billion (City Press, 2018; National Institute for Communicable Diseases [NICD], 2019). The Department of Agriculture, Land Reform and Rural Development (DALRRD) temporarily closed select pork processors — including Enterprise Foods' Polokwane plant RCL Foods' Wolwehoek plant [1] — but not all plants were affected; Eskort, for example, remained operational. Suspensions lasted until stricter food safety regulations were implemented. The Department of Health (DoH) later confirmed that Tiger Brands alone was responsible and just one strain was linked to RCL Foods' chicken polony (City Press, 2018).

Some regulations were drafted and introduced to strengthen food safety requirements and standards, which included the Compulsory Specification for Processed Meat Products (VC 9100) and Regulations R 607 and R 638. The VC 9100 was published in the Government Gazette on 8 August 2019. This regulation is enforced by the National Regulator for Compulsory Specifications (NRCS) and mandates compliance with Hazard Analysis Critical Control Points (HACCP), effective from 8 October 2019. Regulations R 607 and R 638 (DoH, 2018a;b), based on the South African National Standards (SANS) and Codex Alimentarius[2] guidelines, were published by the DoH on the 14 and 22 June 2018 respectively. R 607 enforces mandatory HACCP requirements for food plants manufacturing RTE meat, meat offal and poultry products, while R 638 addresses food transport and food premises' general hygiene and food safety requirements.

The VC 9100 regulates the handling, preparation, processing, packaging, refrigeration, freezing, chilling, labelling, marking and storage of heat-treated and RTE processed meat products covered under SANS 885, and addresses microbiological and food safety requirements (Department of Trade and Industry, 2019). The SANS 885 (NRCS, 2023), which classifies processed meats, existed before VC 9100, but was not mandatory. Developed initially in 2011 under Technical Committee TC 1027, it complied with the World Trade Organization's Agreement on technical barriers to trade

(WTO, 2000). The development of VC 9100 started in 2013 as a result of industry and regulator concerns about unregulated processed meat, initiated by the NRCS and followed by feasibility, risk and impact research.

This paper examines stakeholder influence on the VC 9100 regulation at different stages of the policy cycle with a focus on its development and delayed implementation until after the 2017–2018 listeriosis outbreak. Furthermore, the paper analyses the role of stakeholders in shaping the development of VC 9100 to demonstrate how they influenced and delayed the regulatory progress and its implications for food safety governance in South Africa. In addition, the study identifies and addresses the factors that contributed to the regulatory delays, the role of the enforcement agencies, and the broader impact of stakeholder engagement on food safety policy implementation.

The processed meat industry in South Africa

The processed meat industry plays a key role in South Africa's economy, contributing to the Gross Domestic Product (GDP) and employment. The industry includes poultry, pork, beef, lamb and mutton, with products ranging from chilled and frozen to shelf-stable varieties (Mordor Intelligence, 2022). Meat processing techniques such as salting, curing, fermenting and smoking enhance the flavour and shelf life of the products (Technavio, 2021). The formal pork sector consists of approximately 400 commercial producers, 19 stud breeders and a workforce of 10,000, including 4,000 farm workers and 6,000 processing and abattoir employees (DALRRD, 2021). South Africa is also the largest regional exporter of processed meat, supplying countries like Botswana, Namibia and Zimbabwe (Mordor Intelligence, 2022; Mugido, 2018).

Consumer demand is driven by household consumption and the food service industry, but rising feed costs and religious restrictions have limited the growth of the pork industry (DALRRD, 2020; Mugido, 2018). However, marketing campaigns by major companies have helped to expand the market (Mordor Intelligence, 2022). Separately, poultry is the dominant segment, holding 40% of the market share, with chicken meat accounting for 65% of the consumers' total consumption due to its affordability and popularity (Mordor Intelligence, 2022).

The demand for pork products grew by 9% between 2015 and 2022, driven by an expanding middle class and changing dietary habits (Marais, 2023). Popular pork-based products include sausages, bacon and ham (Mugido, 2018). RTE items, such as polony and Vienna sausages, remain staple protein sources, especially for low-income households, due to their affordability and long shelf life of up to five months under optimal cold storage conditions (Thomas, Govender, McCarthy *et al*., 2020). Polony, in particular, is widely consumed across South Africa and some Southern African Development Community (SADC) countries and is valued for its low cost compared to other protein sources (Tshandu & Anetos, 2018).

Listeriosis outbreak in South Africa

Listeriosis is a severe foodborne illness caused by *Listeria monocytogenes*, which poses a high risk to pregnant women, the elderly and individuals with weakened immune systems (CDC, 2024). South Africa experienced a listeriosis outbreak between January 2017 and July 2018. Identifying the source of the illness proved difficult, as *L. monocytogenes* has a long incubation period of up to 90 days (WHO, 2018). Hunter-Adams, Battersby and Oni (2018) argue that the delayed identification of the outbreak's origin contributed to its severity, exposing gaps in South Africa's regulation and capacity. The Minister of Health officially declared the outbreak in December 2017, but the contaminated products—polony and other RTE meats from Enterprise Foods—were only identified in March 2018, leading to a product recall by Tiger Brands (Department of Trade and Industry, 2018). However, some supermarkets continued to sell RTE meat, causing confusion and revealing weaknesses in the recall system (Boatemaa *et al*., 2019; Payi, 2018). The outbreak affected all of South Africa's nine provinces, with reported cases and fatalities recorded between January 2017 and July 2018, as shown in Table 1.

Table 1: Cases reported and mortality rates by province, January 2017–July 2018

Province	Number of cases (% of cases)	Number of deaths (% of deaths)
Gauteng	614 (57.92%)	108 (50%)
Western Cape	136 (12.83%)	32 (14.81%)
KwaZulu-Natal	83 (7.83%)	21 (9.72%)
Limpopo	55 (5.19%)	11 (5.09%)
Eastern Cape	53 (5.0%)	13 (6.02%)
Mpumalanga	48 (4.53%)	11 (5.09%)
Free State	36 (3.40%)	9 (4.17%)
North-West	29 (2.74%)	8 (3.70%)
Northern Cape	6 (0.57%)	3 (1.39%)
Total	**1,060 (100%)**	**216 (100%)**

Source: NICD (2019)

In total, 1,060 listeriosis cases were reported during the outbreak, resulting in 216 deaths, with Gauteng experiencing the highest infection and mortality rates and the Northern Cape having the lowest (Smith, Tau, Smouse et al., 2019; NICD, 2019). The DoH criticised the meat processing industry's lack of cooperation, while Tiger Brands' CEO denied a direct link between the company's products and the deaths, delaying official intervention (Mabuza and Gous, 2018). Media coverage heightened consumer scepticism about food safety (Rootman, 2016).

Regulatory agencies struggled to coordinate their response, with uncertainty over whether the National Consumer Commission, DoH or DALRRD should lead the investigation (Food Safety Network Service, 2018). This lack of action during the

outbreak highlighted systemic governance failures, including weak enforcement of food safety regulations (Boatemaa *et al*., 2019; Wilson & Worosz, 2014). The DoH acknowledged deficiencies in the country's legislative and policy frameworks, emphasising the need for regulatory reform (Department of Health, 2018c).

Food safety crises often stem from inadequate regulatory enforcement (Grace, 2017), with South Africa's approach being reactive rather than preventative (University of Venda, 2019). The outbreak underscored the urgent need for improved food safety legislation, prompting the government to review and strengthen regulations for heat-treated, RTE meat products (Mphaga, Moyo & Rathebe, 2024; WHO, 2018).

Materials and methods

This study employed an explanatory case study approach, which was selected to address the central research question: "What role did power dynamics play in the South African food safety governance's failure to prevent the listeriosis outbreak in 2017-2018?" The South African food safety governance system is fragmented since it is managed by three distinct government departments, resulting in several weaknesses. This research study utilises a multiple case study design (Yin, 2014), which offers a robust foundation for theory building by enabling case comparisons, thereby strengthening the theoretical framework. The selected cases focus on various food safety-related policy changes following the listeriosis crisis in South Africa. The case study research was conducted between March and July 2023.

This case examines the compulsory specification for processed meat products, which gained prominence on the policy agenda after the 2017-2018 listeriosis outbreak. This specification sets out the hygiene, labelling and safety standards required for processed meat production to protect public health. Although its development encountered resistance from industry players and concerns about enforcement, the listeriosis outbreak and its attendant death toll accelerated its implementation. This tragic event underscored the necessity for stringent food safety regulations, positioning the specification as a critical measure to prevent future outbreaks. Fifteen key informants, who represented various sectors involved in the implementation or enforcement of food safety governance, were interviewed by the researcher between March and August 2022. The interviews were recorded electronically with the respondents' permission.

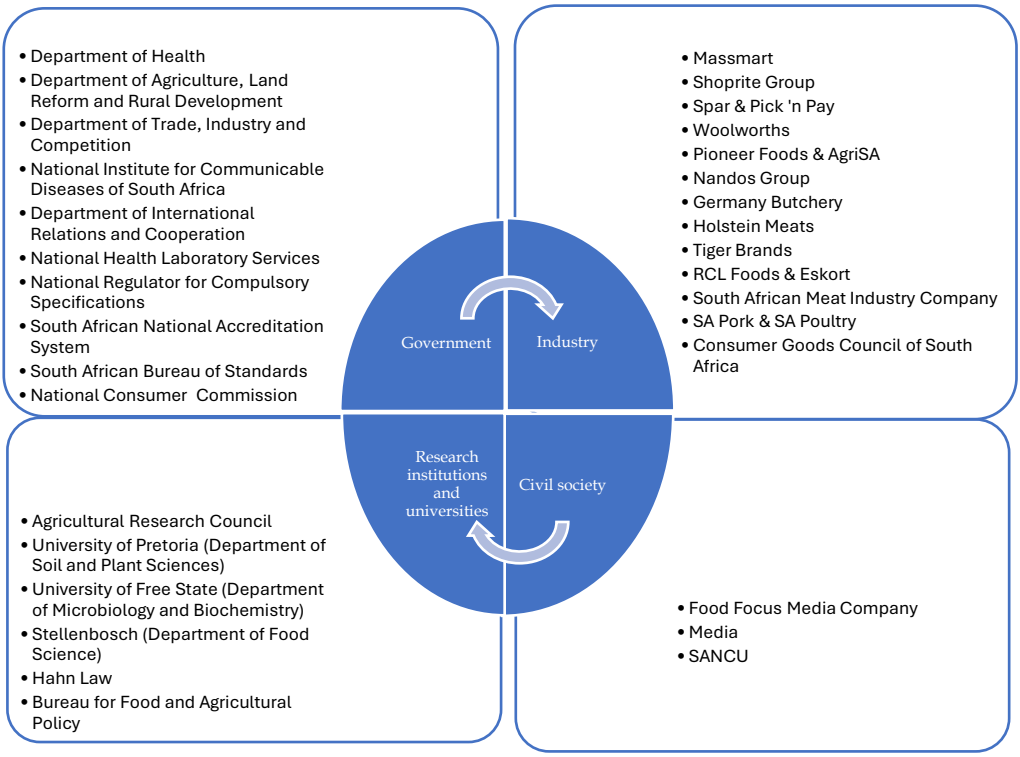
Findings

Stakeholders involved in the drafting process of the VC 9100

The process of developing the Compulsory Specification for Processed Meat started in 2013 and involved multiple/numerous stakeholders, as recorded in Figure 1. The network of stakeholders involved in the drafting process of VC 9100 reflects the complex and often fragmented nature of South Africa's food safety governance system.

Key government agencies, such as the NRCS, the DoH and the DALRRD, each have distinct mandates and regulatory responsibilities, contributing to overlapping roles and coordination challenges. Industry players, including major producers like Tiger Brands and industry associations such as South African Meat Processors Association (SAMPA), actively participate in consultations to safeguard their commercial interests. Meanwhile, civil society groups and consumer representatives are notably underrepresented or sidelined within this stakeholder network, highlighting limited inclusivity in decision-making processes. This intricate web of interactions underscores the difficulties encountered in coordinating policy development across multiple departments and vested interests, which ultimately contributed to delays and conflicts in the formulation and implementation of VC 9100.

Figure 1: Stakeholders involved in the development of the Compulsory Specification for Processed Meat Products, 2013-2019



Source: *Author's creation based on desk review and stakeholder mapping.*

Fragmented government authority and competing mandates

The food safety regulatory framework suffered from significant fragmentation across three government entities. In the above mentioned case study, respondent 1 explained: "There is a concern of contestation of mandate, where various government departments all want to regulate, but obviously, we do it under different pieces of legislation and we also use different methods to regulate". The NRCS focused on microbiological safety under the National Regulator for Compulsory Specifications Act 5 of 2008, while DALRRD oversaw product quality through the Agricultural Product Standards Act 119 of 1990, and the DoH conducted facility inspections under the Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 (NRCS, 2023; DALRRD, 2020).

This division created enforcement gaps and inefficiencies, with industry facing multiple inspections and levies. Respondent 7 noted the financial burden: "All three regulators charge the industry different levies for their inspections", while Respondent 9 added: "It would work much better for the industry if they had to deal with one government department instead of all three regulators as it becomes complex and costly for them".

Industry resistance and regulatory delays

The processed meat industry, represented by powerful associations like SAMPA and major corporations including Tiger Brands, exerted significant influence over the regulatory process (Tiger Brands, 2012). Respondents 1, 2, 3, 4, 7 and 9 all confirmed that industry resistance to proposed levies during the 2014 consultations led to a four-year delay in finalising VC 9100 (Parliament, 2018).

Respondent 16 provided insight into industry tactics: "Tiger Brands and other industry players adopt a protective stance in meetings for two main reasons: to gather information and to quickly adapt to changes. They are cautious about sharing insider details, likely to protect their brand and the broader industry's interests." This corporate influence prioritised financial concerns over public health protections, with Respondent 16 further noting: "Stricter regulations pose more risk and accountability, which can lead to significant legal and financial consequences for the company."

Marginalisation of civil society and academia

Civil society organisations and academic institutions which could have provided independent oversight were largely excluded from food safety governance. Respondents noted that consumer advocacy groups had minimal participation in policy consultations, leaving public health concerns underrepresented. Similarly, government officials viewed academic experts with suspicion, fearing criticism of regulatory weaknesses. One respondent stated: "Officials believe it's the government's mandate, not academia's, and scientists should refrain from interfering" (Respondent 16). This exclusion prevented evidence-based policy improvements and allowed industry and

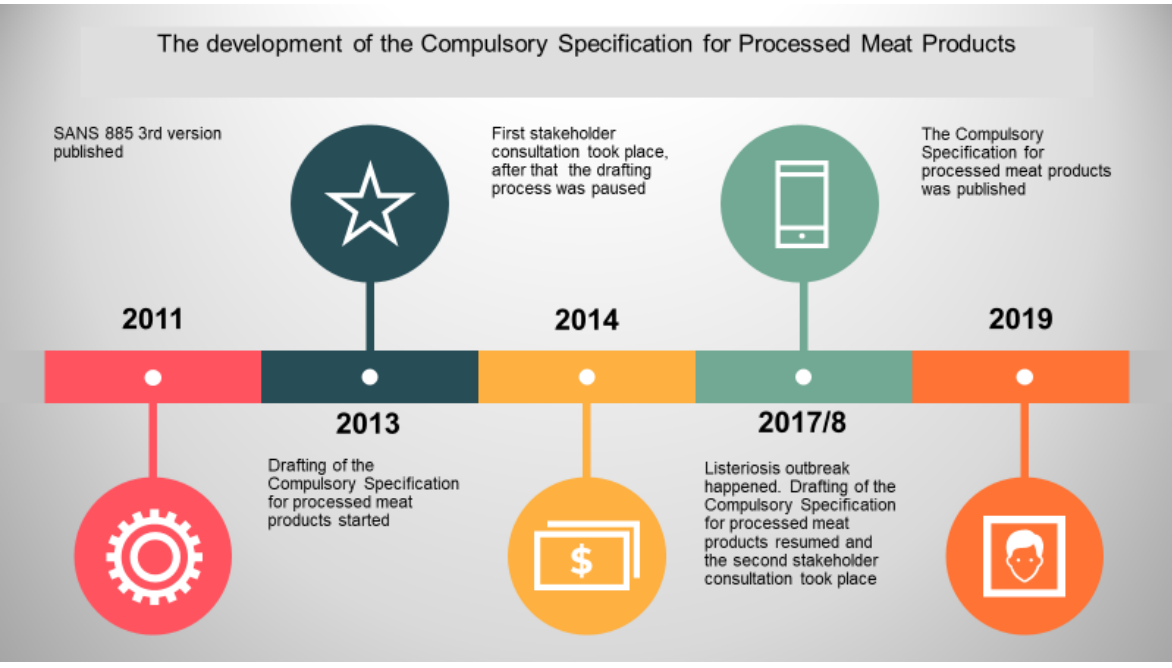
government actors to dominate decision-making without sufficient accountability (Hunter-Adams *et al*., 2018).

Crisis-driven policy changes after the outbreak

The listeriosis outbreak, which caused 1,060 infections and 216 deaths (NICD, 2019), finally forced regulatory action. As Respondent 1 noted: "The VC 9100 became part of the interventions that the government wanted to put in place as a clear regulatory tool after the listeria outbreak" (Department of Trade and Industry, 2018). The outbreak prompted Tiger Brands to establish the Centre for Food Safety in collaboration with Stellenbosch University in November 2019 (South African Association for Food Science and Technology, 2019) — a reactive measure that came too late to prevent the crisis.

This crisis-driven response highlights how power dynamics had previously stalled necessary reforms until a public health disaster compelled change in 2019 — a turning point vividly illustrated in the timeline in Figure 2 below.

Figure 2: Compulsory Specification for Processed Meat Products Development Timeline



Source: *Authors' creation from desk review and interviews.*

The timeline highlights the initial stakeholder consultation in March 2014, the development of draft regulations, and the subsequent delays primarily caused by

industry resistance over levies and regulatory fragmentation. Notably, it marks the resumption of progress following the 2017–2018 listeriosis outbreak, leading to the final drafting, approval and enactment of VC 9100 in August 2019. This timeline underscores the protracted nature of the process, influenced by stakeholder conflicts and policy negotiations.

Discussion

This case study interrogates the delays and obstacles faced in developing and adopting the Compulsory Specification for Processed Meat Products (VC 9100) in South Africa, which may have prevented the listeriosis outbreak of 2017–2018 had it been implemented earlier. The findings highlight how industry interests significantly influenced food safety governance, operating within an interest-intermediate network where power dynamics favoured economic priorities over public health. The exclusion of key stakeholders, such as consumers, from meaningful participation in policymaking further exacerbated regulatory inefficiencies.

The delayed implementation of VC 9100 — driven by industry lobbying for lower levies — demonstrates how economic power can obstruct critical food safety measures. Even after its eventual publication, persistent industry resistance hindered enforcement, illustrating a governance system where profitability often supersedes consumer protection. Had the regulation been implemented and enforced more rigorously prior to the outbreak, the scale of the listeriosis crisis might have been reduced.

The case also reveals the pivotal role of focusing events in overcoming regulatory stagnation. Before the outbreak, industry opposition stalled VC 9100's progress, reflecting systemic weaknesses in routine policy processes. However, the listeriosis crisis acted as a catalyst, compelling the government to accelerate regulatory action (Hunter-Adams *et al.*, 2018). This underscores the need for proactive governance mechanisms that pre-emptively address food safety risks rather than relying on crisis-driven responses.

For future prevention, food safety governance must shift toward a more inclusive network that balances stakeholder interests while prioritising public health (Mkhwanazi, 2024). Sustained public pressure, transparent policy processes and enforceable regulations are essential to counter industry dominance and ensure timely, effective food safety interventions. Without such reforms, regulatory delays and industry influence may continue to leave consumers vulnerable to preventable outbreaks.

Conclusion and recommendations

The listeriosis outbreak in South Africa exposed critical deficiencies in food safety regulations, particularly within the processed meat sector. In response, the Compulsory Specification for Processed Meat Products (VC 9100) was developed to address these gaps by enforcing stringent standards for the production, packaging and labelling of processed meat. VC 9100 mandates the implementation of HACCP systems across all processed meat facilities, aiming to enhance overall food safety. While its development began in 2013, industry resistance led to significant delays, with stakeholders contesting the financial burden of compliance. The outbreak's severity in 2017–2018, which highlighted the urgent need for effective food safety measures, prompted a renewed push for VC 9100's implementation. Despite this urgency, resistance continued, affecting the regulation's full enforcement. This case study underscores the role of crises in driving regulatory change and the challenges of balancing public health priorities with industry interests. Effective enforcement of VC 9100 is crucial for improving food safety and preventing future outbreaks. To address the limitations of South African food safety governance, it is recommended that the decision-making process be expanded to include a broader and more representative group of stakeholders.

While Figure 1 outlines a seemingly comprehensive network of actors, interviews reveal a stark disconnect between formal representation and real influence. One respondent raised a concern that consumers, small-scale producers and public health advocates were repeatedly sidelined during the VC 9100 negotiations. This expansion should focus on enhancing inclusivity and collaboration among diverse actors, beyond the current specialised interests that may dominate the process. The government should lead this initiative by managing and facilitating network openness, despite potential resistance from industry groups that benefit from the status quo.

Regular monitoring and adaptive management of these networks are essential to keep pace with evolving stakeholder dynamics and ensure meaningful collaboration. Given the complexities and coordination challenges within the food system as highlighted by recent studies, a more integrative approach is necessary to overcome obstacles and advance the effectiveness of food safety governance.

Declarations

Conflict of interest: The authors wish to confirm that there is no conflict of interest to declare.

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REFERENCES

Boatemaa, S., Barney, M., Drimie, S., Harper, J., Korsten, L., & Pereira, L. (2019). Awakening from the listeriosis crisis: Food safety challenges, practices, and governance in the food retail sector in South Africa. *Food Control, 104*, 333–342. https://doi.org/10.1016/j.foodcont.2019.05.009

CDC. (2024). About Listeria Infection. https://www.cdc.gov/listeria/about/index.html

City Press. (2019, March 15). 3500 tonnes recalled, Tiger Brands' listeriosis investigations pending. *City Press*. https://www.news24.com/citypress/news/3500-tonnes-recalled-tiger-brands-listeriosis-investigations-pending-20180315

Department of Agriculture, Land Reform and Rural Development. (2020). *A profile of the South African pork market value chain*. http://webapps1.daff.gov.za/AmisAdmin/upload/Pork%20Market%20Value%20Chain%20Profile%202023.pdf

Department of Health. (2018a). *Regulations governing general hygiene requirements for food premises, the transport of food and related matters*. *Government Gazette*, 41730. Republic of South Africa.

Department of Health. (2018b). *Regulations relating to the application of the Hazard Analysis and Critical Control Point System (HACCP system); Amendment*. *Government Gazette, 41753*(607). Republic of South Africa.

Department of Health. (2018c). *National public health emergency response plan*. Republic of South Africa.

Department of Trade and Industry. (2018). *National food safety seminar on listeriosis monocytogenes and regulatory measures*. Republic of South Africa.

Department of Trade and Industry. (2019). *Compulsory specification for processed meat products (VC 9100)*. Republic of South Africa. https://www.nrcs.org.za/Compulsory%20Specification/FAI/VC%209100.pdf

Food Imbizo. (2022). *Food safety governance stakeholder mapping* [Online workshop]. https://cgspace.cgiar.org/server/api/core/bitstreams/49f7b387-6710-452c-9520-b704fa9c1028/content

Food Safety Network Service. (2018). *Listeria in South Africa: Lessons learned*. https://fsns.com/listeria-in-south-africa/

Grace, D. (2017). *Food safety in developing countries: Research gaps and opportunities* [White paper]. International Livestock Research Institute.

Heiberg, T. (2018, April 25). South African pork prices fall after a listeria outbreak. *Reuters*. https://www.reuters.com/article/safrica-listeria-pork-idUSL8N1S026P

Hunter-Adams, J., Battersby, J., & Oni, T. (2018). Fault lines in food system governance exposed: Reflections from the listeriosis outbreak in South Africa. *Cities & Health, 2*(1), 17–21. https://doi.org/10.1080/23748834.2018.1508326

Mabuza, E & Gous, N. (2018, March 5). Enterprise withdraws all processed meats and stops their production at two facilities. *Business Day*. https://www.businesslive.co.za/bd/companies/retail-and-consumer/2018-03-05-enterprise-withdraws-all-processed-meats-and-stops-their-production-at-two-facilities/

Marais, S. (2023, January 10). The pork industry gearing up for growth in 2023. *Farmer's Weekly*. https://www.farmersweekly.co.za/agri-news/south-africa/pork-industry-gearing-up-for-growth-in-2023/

Mkhwanazi, N. S. (2024). *Food safety governance in South Africa: A policy network approach* (Doctoral dissertation, University of Pretoria).

Mphaga, K. V., Moyo, D., & Rathebe, P. C. (2024). Unlocking food safety: a comprehensive review of South Africa's food control and safety landscape from an environmental health perspective. *BMC public health*, 24(1), 2040.

Mordor Intelligence. (2022). *South Africa processed meat market 2022–2027*. https://www.mordorintelligence.com/industry-reports/south-africa-processed-meat-market/market-size

Mugido, W. (2018). *SADC countries suspend processed meat imports from South Africa* (Global Agricultural Information Network Report). USDA Foreign Agricultural Service.

National Consumer Commission. (2025). *Overview*. https://thencc.org.za

National Institute for Communicable Diseases. (2019). *Overview*. http://www.nicd.ac.za/about-us/

National Regulator for Compulsory Specifications. (2023). *About compulsory specification*. https://www.nrcs.org.za/compulsory-specifications/about-compulsory-specifications

Parliament of the Republic of South Africa. (2018). Trade and Industry Committee concerned about cold meat industry blocking compulsory specifications for last four years [Press release]. https://www.parliament.gov.za/press-releases/trade-and-industry-committee-concerned-about-cold-meats-industry-blocking-compulsory-specifications-last-four-years

Payi, B. (2018). Listeriosis: Flagged food products still being sold. *IOL News*. https://www.iol.co.za/news/politics/listeriosis-flagged-foodproducts-still-being-sold-13713272

Rootman, C. (2016). How social media tools influence brand image and buying behaviour in the South African food retail industry. In *Proceedings of Business and Management Conferences*. International Institute of Social and Economic Sciences. https://ideas.repec.org/p/sek/ibmpro/3405542.html

Smith, A. M., Tau, N. P., Smouse, S. L., Allam, M., Ismail, A., Ramalwa, N. R. & Thomas, J. (2019). Outbreak of Listeria monocytogenes in South Africa, 2017–2018: Laboratory activities and experiences associated with whole-genome sequencing analysis of isolates. *Foodborne pathogens and disease*, 16(7), 524-530.

South African Association for Food Science and Technology. (2019). *Compulsory specification for processed meat products webinar video and questions*. https://saafost.org.za/Wbinars/2019/Nov28/

Technavio. (2021). *Global processed meat market 2017–2021*. https://www.technavio.com/report/global-food-global-processed-meat-market-2017-2021

Thomas, J., Govender, N., McCarthy, K. M., Erasmus, L. K., Doyle, T. J., Allam, M., Ismail, A., Ramalwa, N., Sekwadi, P., Ntshoe, G., & Shonhiwa, A. (2020). The outbreak of listeriosis in South Africa is associated with processed meat. *New England Journal of Medicine, 382*(7), 632–643. https://doi.org/10.1056/NEJMoa1907462

Tiger Brands. (2012). *Tiger Brands integrated report 2012* [Unpublished report].

Tshandu, P. V., & Anetos, P. (2018, March 11). Poverty puts polony on the table. *Sunday Times*. https://www.timeslive.co.za/sunday-times/business/2018-03-11-poverty-puts-polony-on-the-table/

University of Venda. (2019). South Africa needs to be proactive rather than reactive-Minister Ronald Lamola. https://www.univen.ac.za/news/south-africa-needs-to-be-proactive-rather-than-reactive-minister-ronald-lamola/

World Health Organization. (2000). *Agreement on technical barriers to trade*. World Trade Organization. https://www.wto.org/english/docs_e/legal_e/tbt_e.htm

World Health Organization. (2018). *Listeria*. https://www.who.int/mediacentre/factsheets/listeriosis/en/

Wilson, N. L., & Worosz, M. R. (2014). Zero tolerance rules in food safety and quality. *Food Policy, 45*, 112–115. https://doi.org/10.1016/j.foodpol.2013.06.005

Yin, R. K. (2014). *Case study research: Design and methods* (5th ed.). Sage Publications.

ENDNOTES

[1] RCL Foods has not been linked to Rainbow Chicken since 2024.

[2] Codex Alimentarius sets the international guidelines for food safety. It was formed jointly by United Nations bodies, the World Health Organization (WHO) and the Food and Agricultural Organization of the UN (FAO) in 1962.

BIOGRAPHIES

Dr Mkhwanazi holds a Bachelor's degree in plant production and extension from Stellenbosch University, an Honours and Master's degree in Agricultural Extension from the University of Pretoria. Her PhD is on Food Safety Policies and is from the University of Pretoria.

Dr Adelle is a researcher in the Department of Political Sciences and the University of Pretoria. She works in the fields of governance and policy formulation focusing on the role of knowledge and learning in solving complex, cross-cutting public policy problems. Her current research is within the Governance Programme of the DSI-NRF Centre of Excellence in Food Security.

Professor Korsten is Emeritus Professor in Plant Pathology in the Department of Plant and Soil Sciences at the University of Pretoria. She is Co-Director of the Department of Science Technology and Innovation at the NRF Centre of Excellence in Food Security and she is President of the African Academy of Sciences.

Can citizens say 'no'?

Tracking civil society's impact in Parliament

-By Nazeema Mohamed, Bruce Kadalie and Rachael Nyirongo

IFAA's 'In Defence of our Constitutional Democracy' project, known as Decode, conducted research into NGOs' experiences of participation in South Africa's 'people's Parliament'. NAZEEMA MOHAMED, BRUCE KADALIE & RACHAEL NYIRONGO focused on the GBV and climate change sectors and in conversations with participants found a mix of creative agency, commitment and determination alongside frustration and a sense of marginalisation.

Photo : Shutterstock

Introduction

Active citizen involvement, a foundational element of South Africa's democratic framework, aims to ensure that all voices, especially those historically on the margins, are acknowledged and actively incorporated into policy decision-making. Yet this fine principle, clearly stipulated in the Constitution, encounters a fundamental contradiction when it comes up against the challenges of implementation.

In reality, South Africa's organised civil society today, itself the product of an powerful history of community-based resistance that overcame apartheid, is impeded from fulfilling this constitutional duty by severe shortages of capacity and resources. It is trapped in a tangle of bureaucratic inefficiencies, fragmented government coordination and limited public engagement and awareness.

That is not to say the will, and commitment to, active citizen engagement is lacking. The Institute for African Alternatives (IFAA) has found through its 'In Defence of our Constitutional Democracy'(Decode) project that while the voice of civil society rings out loud and clear in the public domain, the activists on the ground frequently find themselves shunted to the margins when it comes to implementation.

They face constant frustration in their efforts to engage with government, even when their inputs and demands have been raised, and often taken into account. Decode's research identified a recurring pattern of vibrant public input during consultation phases, followed by diminished influence in subsequent implementation and oversight, revealing a gap between democratic participation and administrative delivery.

Decode has focused on climate change and gender-based violence (GBV), two priority areas in South Africa's development agenda that represent pressing security challenges and are sites of sustained civil society mobilisation. The project has engaged in research, interviews and workshops specifically related to the gender and climate sectors, with the focus on the strategies used by civil society organisations (CSOs) to shape parliamentary discourse, and their engagement with key legislation (including the Climate Change Bill, 2022 to 2024) and relevant public policy (the 2020 National Strategic Plan on GBV).

Decode offers a reflective review of what civil society has achieved in these sectors in terms of parliamentary participation, how it has engaged Parliament, and what challenges and barriers remain. It also assesses the extent to which South Africa's system of cooperative governance has enabled or constrained meaningful participation and policy impact in these domains.

By drawing on qualitative insights from interviews with former Members of Parliament as well as women, youth and climate activists, Decode aims to generate

actionable recommendations for the seventh Parliament. This comes in the wake of the 2024 elections and the broader reconfiguration of South Africa's political landscape.

Civil society in South Africa since 1994

The transition to democracy in 1994 marked a profound turning point for South African civil society. Under apartheid, civil society had largely functioned as a resistance movement, mobilising communities and providing alternative services in the absence of a legitimate state. With the democratic transition, many civil society leaders were absorbed into the new government to help establish the structures and norms of the post-apartheid state. While this shift was essential for nation-building, it created significant leadership vacuums within civil society organisations, weakening institutional memory and continuity at a critical moment.

Several research reports on civil society have been produced by the Human Sciences Research Council (HSRC), in collaboration with Kagiso Trust and the National Development Agency and the Department of Social Development. This research notes that the early democratic period saw many civil society organisations re-orienting themselves—from resistance to development-focused roles. This transition was not always smooth. Funding streams began to shift toward state-led initiatives, leaving many organisations under-resourced or repurposed to deliver services under government contracts (National Development Agency, 2021; Bohler-Muller *et al*., 2020; Ngudu & Motala, n.d.). In some cases, this led to depoliticisation and leadership gaps with organisations prioritising delivery over advocacy and accountability.

At the same time, the state's emphasis on building formal institutions and cooperative governance meant that structured participation—through public consultations, community forums and parliamentary submissions—began to replace the more confrontational, grassroots methods that had defined the anti-apartheid struggle. While these mechanisms reflected the democratic spirit of the Constitution, in practice they were often undermined by constrained resources and, at times, insufficient political will. This contributed to a decline in accountability, especially during the years of state capture, and fuelled growing public dissatisfaction with formal participation processes.

Dissatisfaction with limited progress led in time to new waves of activism—often led by youth, women and climate justice advocates—reviving the confrontational, rights-based ethos of pre-1994 civil society. Movements such as the Treatment Action Campaign, Abahlali baseMjondolo, #FeesMustFall, #TotalShutdown and the Climate Justice Charter Movement have reclaimed civic space and challenged the state to respond to structural inequality, the HIV/AIDS pandemic, the housing crisis, GBV and the climate crisis with greater urgency.

Decode builds on this trajectory, recognising the shifting nature of civil society in South Africa's democracy. By focusing on GBV and climate change the project offers

a lens into how civil society actors are engaging Parliament and navigating South Africa's system of cooperative governance to push for deeper, systemic change.

GBV and civil society engagement with Parliament

South Africa has one of the highest rates of GBV in the world, a fact that has made the issue central to both government policy and civil society mobilisation. The National Strategic Plan (NSP) on Gender-Based Violence and Femicide (2020) was a key milestone in the formal recognition of GBV as a national crisis. However, the success of this plan depends heavily on implementation, funding and coordination across government departments—areas where civil society has consistently played a watchdog and advocacy role (Republic of South Africa, 2020).

Since the advent of democracy in 1994, South Africa has enacted a suite of progressive legislation to promote gender equality and address GBV, including the Domestic Violence Act (1998), the Criminal Law (Sexual Offences) Amendment Act (2007), and the Promotion of Equality and Prevention of Unfair Discrimination Act (2000). These legislative developments were informed by persistent activism, legal advocacy and community mobilisation. However, significant challenges remain in translating these legal frameworks into effective implementation.

Civil society organisations, particularly those led by women and young activists, have significantly shaped public discourse and legislative efforts related to GBV. Campaigns such as #TotalShutdown, Rape Crisis and Sonke Gender Justice have brought survivors' voices to the fore, demanded structural change and pressured Parliament to act. These organisations have submitted written inputs to parliamentary committees, organised mass actions and provided expert testimony during hearings on legislation relating to domestic violence, sexual offences and policing.

The gender focus of Decode in its 2024–2025 implementation cycle included desktop research aimed at providing a historical and contextual overview of South Africa's legislative efforts toward gender equity and the eradication of GBV, with a particular focus on the role of civic organisations and social movements in shaping and engaging with parliamentary processes. This study culminated in an analysis of the establishment of the National Council on Gender-Based Violence and Femicide (NCGBVF) Act, highlighting the critical actors that influenced this legislative milestone.

Central to this research was the assessment of how civil society has leveraged parliamentary mechanisms to shape gender-related legislation. Organisations such as the Commission for Gender Equality, Sonke Gender Justice and People Opposing Women Abuse were instrumental in both advocacy and participatory processes during legislative drafting.

The study revealed that smaller, community-based organisations often struggle to engage Parliament due to limited resources, digital exclusion and bureaucratic barriers. These structural issues need to be addressed if the promise of the NSP is to be

realised. A social compact on GBV, with clear roles for Parliament, civil society and the Executive, could provide the collaborative foundation needed to shift from policy to sustained impact.

The NCGBVF Act, a landmark outcome of the 2018 Presidential Summit against Gender-based Violence and Femicide, itself a response to the #TotalShutdown movement, established a statutory body to coordinate GBV responses across government and civil society. Key contributors to its development included Rise Up Against Gender-Based Violence, Women's Legal Centre, Tshwaranang Legal Advocacy Centre, Sonke Gender Justice, Sweat, Mosaic, the Callas Foundation, the Triangle Project and the Commission for Gender Equality. These stakeholders contributed to the drafting, mobilisation and public consultation processes, pushing for a survivor-centred, multisectoral response to GBV.

Decode reached out to a number of these organisations, prioritising those directly involved in the #TotalShutdown movement, to gather experiential insight into their engagement with parliamentary structures, the challenges encountered and the real-world effects of gender-focused legislation.

The interviews yielded valuable qualitative data, despite the fact that many of the organisations approached are experiencing acute resource and capacity pressures, which are greatly exacerbated by the recent withdrawal of US funding for gender advocacy by the Trump administration. Many organisations are overstretched, operating with minimal staff while navigating increasing demand for their services.

The interviews highlighted both the strategic acumen deployed by civil society in achieving legislative gains and the persistent obstacles to holding institutions accountable. The testimonies underscored the enduring tension between progressive lawmaking and practical enforcement, and the importance of resourcing institutions mandated to implement gender-responsive policies.

The interviews explored civil society's role in shaping the NCGBVF Act, including key moments of influence, engagement with parliamentarians and organisational strategies. Challenges in public participation and improvements for broader representation were also examined, as well as opportunities for strengthening enforcement mechanisms and civil society's accountability role.

Decode interviewed key informant Advocate Sehaam Samaai, a seasoned human rights lawyer and Commissioner of the Commission for Gender Equality (CGE). Samaai has more than 25 years of experience in legal advocacy and civil society engagement. Her perspective, grounded in long-standing work with community organisations and public institutions, offers an informed reflection on the evolving GBV response landscape in South Africa.

Reflecting on the origins of the 2020 National Strategic Plan on GBV and Femicide, Samaai said the 2016 Total Shutdown movement was instrumental in

catalysing national attention. The movement, which comprised diverse constituencies including women, students and LGBTQI+ activists, put forward a set of demands to the Presidency that later informed the pillars of the NSP.

Civil society organisations such as Rise Up Against Gender-Based Violence, the Women's Legal Centre, and the National Shelter Movement contributed significantly to shaping the NSP's priorities, which include prevention, access to justice, economic empowerment and survivor support. Samaai highlighted the collaborative nature of the process while emphasising that the true test of the NSP lies in its implementation, not its formulation.

She noted the following major obstacles to realising its objectives.

● **Inadequate and delayed funding**: Samaai observed that despite the NSP's call for a dedicated GBV fund, resources remain largely unallocated. The burden of implementation has often fallen on underfunded CSOs that are reliant on donor funding. She cited the Institute for Southern Litigation in Africa, which has labelled the NSP "toothless" due to its inadequate resources.

● **Weak interdepartmental coordination**: The current oversight role played by the Department of Women, Youth and Persons with Disabilities (DWYPD) has proven to be insufficient for coordinating cross-departmental responses. Samaai argued that GBV intersects with numerous sectors, including health, housing and education, and therefore requires a higher level of coordination. She advocated for the establishment of a "super-cluster" model under the Presidency, similar to the South African National AIDS Council.

● **Limited private sector involvement**: The role of the private sector in addressing GBV was minimal, said Samaai. She pointed to the lack of enforceable obligations for corporate contributions to GBV initiatives, despite the sector's broad societal influence. Samaai recommended binding commitments akin to Broad-Based Black Economic Empowerment (BBBEE) codes to ensure sustained private sector engagement.

The interview underscored the vital role of CBOs, particularly during the Covid-19 lockdown period. Samaai noted that local groups, rather than larger non-governmental organisations (NGOs), often provided direct services such as shelter, food support and frontline counselling, yet these organisations remain marginalised in funding structures, which tend to favour well-resourced, urban-based entities. She called for a more equitable redistribution of resources, urging that funding and policy influence be extended to grassroots actors who are often closest to affected communities.

Samaai drew parallels between South Africa's responses to the HIV/AIDS epidemic and the GBV crisis. She identified the former as a successful model of multi-sectoral coordination, marked by dedicated structures and consistent international

funding. In contrast, the GBV sector has yet to replicate this level of institutional alignment and investment.

Samaai concluded with several key recommendations.

- **Enforceable funding mechanisms:** Treasury should release the GBV fund with clear, accessible criteria for civil society applicants. Reliance on donor funding is not a sustainable model.
- **Improved government coordination:** Oversight of the NSP and related strategies should be elevated to the Presidency to ensure alignment across departments.
- **Inclusive policymaking:** Efforts should be made to ensure that rural women, sex workers and LGBTQI+ survivors are included meaningfully in policy design and monitoring processes.
- **Funding equity:** Funding audits should be conducted to ensure that grassroots organisations receive a fair share of available resources.

Decode also held a focus group discussion with Caroline Peters, founder of the Callas Foundation, and Bayanda Ndumiso and Katlego Sepotokele of the Triangle Project to reflect on civil society's role in shaping the NCGBVF Act. Peters, a seasoned African feminist and human rights defender, founded the Callas Foundation in 2018 amid a surge in femicide and gang violence on the Cape Flats. Her organisation has since become a leading force in intersectional GBV work, combining advocacy, service delivery and public education. Ndumiso serves as Political Advocacy Coordinator at the Triangle Project, where he leads initiatives to strengthen LGBTQI+ representation in policy-making. The Triangle Project has championed issues of sexual orientation and gender identity in political dialogue, advancing inclusive participation. Sepotokele, Triangle's Legal and Policy Coordinator, contributes to advocacy campaigns on GBV, hate crimes and legislative reform, with an emphasis on accountability and equitable implementation.

The focus group explored the significance of civil society influence on legislation, public participation challenges, enforcement mechanisms and prospects for continued collaboration. The informants agreed that the NCGBVF Act is the result of

'We refused to let femicide stats just be numbers. We named our dead. We told our stories. We disrupted the silence.'

significant grassroots mobilisation and advocacy. Peters identified the 2018 Presidential Summit on GBV as a defining milestone: "We refused to let femicide stats just be numbers. We named our dead. We told our stories. We disrupted the silence."

This movement, she explained, was largely organised online and reflected a groundswell of public anger at rampant femicide and impunity. "One minute it was a few of us, the next, thousands. WhatsApp groups turned into provinces, then national forums. We were survivor-led," Peters stated, underlining the organic and decentralised nature of the mobilisation.

Ndumiso highlighted the Triangle Project's efforts to mainstream LGBTQI+ concerns in the broader GBV policy framework. Triangle's work began with training political leaders on LGBTQI+ rights and continued with fostering direct engagement with parliamentary processes. He described this strategy as essential to "create social cohesion and inclusion in decisions that influence political will".

Triangle's approach emphasised intersectionality and focused on equipping marginalised communities with the tools to engage constructively. "Your own body, your own agency, and your own struggles are directly influenced by decisions being made every day," he remarked, stressing the need for active citizenship beyond voting.

Both organisations have had mixed experiences in engaging Parliament. Peters expressed frustration with formal channels, recounting extensive past involvement in legislative drafting and amendment processes, including in the Sexual Offences Bill and Domestic Violence Act. Despite this history, she now feels excluded. "I've had sittings in Parliament, on the floor with committees. We've done so much. But now, it feels like we're no longer invited."

She attributed this disengagement to a lack of resources and the erosion of civil society's access to the budgeting process. "Parliament needs to resource the legislation," she said. "What's the use of all this legislation if it's just paper?"

Ndumiso, by contrast, described a more strategic long-term engagement with political parties. Triangle's political advocacy school brought future parliamentarians into its orbit, fostering internal party champions for LGBTQI+ and GBV issues. Despite some parties reneging on public commitments—such as the DA's vote against the Hate Crimes Bill—Triangle has seen real gains, including the election of openly LGBTQI+ councillors.

Sepotokele added that Triangle's submissions to Parliament stress budgetary concerns and implementation challenges. "We don't want another paper tiger like the CGE [Commission for Gender Equality]," she warned, calling for enforceable mandates and real accountability.

… local groups, rather than larger NGOs, often provided direct services such as shelter and frontline counselling.

All participants identified resource constraints as a major barrier to participation. Peters noted, "We are under-resourced. I should be in strategic positions to engage, but our organisations aren't funded for that." She depends on informal networks and cross-organisational support for training and events, such as sharing venues and printing resources.

Sepotokele echoed this concern, arguing that the current framework does not allow for meaningful participation by underfunded organisations. She also stressed the need for civil society to be recognised as equal partners: "We must be more than tokens. Civil society must have enforcement and oversight roles."

Ndumise pointed out that political parties often treat LGBTQI+ and GBV issues as peripheral. This tokenism is compounded by leaders' fear of internal backlash and the difficulty of maintaining a nonpartisan position while engaging parties. He also raised safety concerns for LGBTQI+ activists who challenge party orthodoxy.

Peters advocated for a more powerful National Council with the authority to allocate funding and enforce compliance. "Enforcement must be more than paper promises," she said. "The Council needs real power to hold departments accountable. And civil society must be equal partners in that accountability."

Sepotokele reinforced this point by noting the importance of budgetary transparency and legal consequences for noncompliance. Triangle's monitoring of policy implementation, particularly around the Prevention and combating of Hate Crimes and Hate Speech Act, illustrates the crucial watchdog role that civil society plays.

All three informants underscored the importance of coalition-building and collaboration. Peters described the informal "kitchen network" born during the Covid-19 pandemic, which continues to share resources and support among community organisations. "That's the magic of civil society," she reflected.

Ndumise called for the institutionalisation of coalitions: "Coalitions must be embedded in our daily work, not just during crises." He proposed pooled funding models, shared data platforms, and continued pressure on Parliament as key strategies. Sepotokele stressed the need for capacity building and long-term monitoring.

"Implementation is where the real work begins—raising awareness, tracking outcomes, and ensuring accountability."

The gender focus in Decode's research affirms the necessity of maintaining robust civic engagement with Parliament and underscores the vital role that feminist and social justice organisations play in shaping democratic outcomes in South Africa. The discussions with the Callas Foundation, Triangle Project and Advocate Samaai highlight both the progress achieved through grassroots mobilisation and the considerable gaps that remain in the implementation of gender-equity legislation.

As Peters observed, civil society "refused to let femicide stats just be numbers," and this ethos of survivor-centred, lived-experience advocacy continues to drive accountability efforts. Similarly, the Triangle Project's strategic engagement with political parties demonstrates the importance of equipping marginalised communities with the tools to influence policy from within and outside formal structures.

However, the research also revealed the structural limitations that inhibit sustained civic impact. The interviews identified chronic underfunding, exclusion from decision-making, and tokenistic consultation as key impediments to transformative change. Samaai's call for the elevation of GBV coordination to the level of the Presidency echoes concerns voiced in the focus group about the need for enforceable mandates and cross-departmental accountability. Without such reforms, the National Council on Gender-Based Violence and Femicide risks becoming yet another symbolic structure—what Sepotokele described as a potential "paper tiger"

Importantly, the findings draw attention to the marginalisation of CBOs, particularly in rural or under-resourced areas, whose proximity to survivors often places them at the frontline of service delivery. The current funding architecture privileges larger NGOs and urban-based entities, leaving critical grassroots actors without the support they need to sustain their work. A more equitable redistribution of resources and a deliberate inclusion of CBOs in policy development and monitoring is essential.

Going forward, Decode will continue to centre these voices in evaluating the efficacy of gender policy frameworks in real-world contexts. As this body of research grows, it will contribute to a clearer theory of change for feminist and queer-led organisations, grounded in solidarity, strategic collaboration, and institutional reform. Only through consistent, inclusive, and well-resourced civic engagement can gender-equity laws move beyond aspiration and deliver the justice they promise.

Climate justice and civil society engagement with Parliament

Climate change poses a major threat to South Africa's social and economic stability. Civil society's role in this space has grown substantially, with organisations

advocating for equitable, inclusive climate policy that addresses both environmental and social justice.

Movements such as the Climate Justice Coalition, Centre for Environmental Rights, African Climate Alliance (ACA), the Green Connection, Greenpeace Africa and other organisations have helped bring grassroots voices into the legislative process. These organisations have used submissions, petitions and public hearings to press for binding emission targets, adaptation funding and community-based responses to climate risks.

In forums such as the 2022 Climate Change Emergency Roundtable, civil society pushed for climate-resilient agricultural practices, livelihood diversification and financial support mechanisms tailored for those most impacted by climate change. This advocacy contributed to a more integrated and equitable approach to climate action across sectors like agriculture, energy and water.

The 2024 passage of the Climate Change Act represented a milestone, and civil society organisations also played a key role in its development. Climate activists engaged extensively during public consultations, advocating for stronger emission reduction targets, clear enforcement mechanisms and accountability through carbon budgets. Their influence helped embed transparency and justice in the final legislation.

Decode interviewed representatives from three civil society organisations, ACA, Greenpeace Africa and The Green Connection, to document their experiences, challenges and critiques of Parliament's engagement processes. Their perspectives reveal that while some engagement channels exist, the current systems for public participation are deeply flawed.

Sibusiso Mazomba from the ACA and Siya Myeza from Greenpeace Africa both emphasised that civil society, particularly youth-led groups, played a foundational role in initiating and shaping the Climate Change Bill. Through the Youth Policy Committee, ACA coordinated inputs that focused on adaptation, resilience and justice. However, direct engagement with Parliament was limited and often inconsistent. From a Greenpeace Africa perspective, the civil society efforts were largely directed at the Department of Forestry, Fisheries and the Environment (DFFE), with very few formal opportunities for sustained dialogue with Parliament. Attempts to advocate for a dedicated parliamentary committee on climate change, for example, received no follow-up.

Photo: GroundUp

The challenges these organisations faced were strikingly similar. Despite their extensive preparation and consultation, their inputs were often excluded from discussions. Both Mazomba and Myeza described the engagement as ad hoc and extractive, where Parliament invited input but failed to build consistent relationships or institutionalise civil society participation. They also pointed to information asymmetries and capacity gaps that made meaningful engagement difficult, especially for youth-led and community-based organisations. The technical complexity of law-making meant that these groups had to self-organise to bridge the knowledge gap, often without government support. Myeza noted a broader public lack of awareness about how to engage Parliament, something he described as a systemic failure of the state, not civil society.

Lisa Makaula from The Green Connection echoed many of these concerns, while highlighting additional issues from a community justice perspective. She critiqued the top-down nature of the policy-making process, where government and business interests dominate and civil society voices, especially those opposing extractive industries, are sidelined. She stressed the importance of involving local communities and valuing their lived knowledge of climate impacts, something too often ignored in favour of technical or commercial expertise. Makaula also noted that corporations frequently reduce public consultation to a tick-box exercise, inviting communities into

workshops only after key decisions have already been made. In her view, legal frameworks like the Climate Change Act must institutionalise protections for affected communities and create accessible mechanisms for justice and accountability.

Across all three interviews, a clear critique emerged: Parliament lacks the institutional will and structures to support meaningful civil society participation. Engagement remains largely symbolic, with civil society functioning more as external pressure groups and parallel knowledge producers, rather than as integrated partners in legislative development. Government has also delegated much of the work of public education and mobilisation to civil society, but without the necessary support or recognition.

Nonetheless, participants saw emerging opportunities, particularly with the formation of the Government of National Unity and a renewed campaign for a dedicated climate committee in Parliament. There was also optimism about exploring alternative entry points such as the Parliamentary Public Education Office.

These reflections point to a critical need to reimagine how Parliament and government engage with the public on climate policy. Building a just and inclusive climate transition will require more than symbolic consultation. It also demands structural change to make participation meaningful, consistent and grounded in justice.

Reflections from exiting parliamentarians

Decode also conducted interviews with MPs from the sixth democratic Parliament who offered candid reflections on the state of public participation and civil society engagement. MPs recognised the historical importance of civil society in advancing democratic accountability but expressed concern about flagging citizen participation. “People have lost interest in Parliament,” one said in an interview.

Several parliamentarians noted that while formal mechanisms exist—such as public hearings and committee submissions—these are often underutilised or poorly resourced. They also acknowledged that Parliament must do more to close the feedback loop by responding to submissions and showing how civil society input informs decision-making.

Recommendations

Based on the research and interviews, Decode proposed the following recommendations:

1. Strengthen participatory mechanisms in Parliament

- Simplify parliamentary submission and participation procedures, particularly for community-based and youth-led organisations.

- Provide accessible, multilingual information about public consultations, including in calls for submissions and formats for engagement.

- Use digital and offline platforms to make participation more inclusive, especially where internet access is limited.

2. Address structural barriers to engagement

- Expand capacity-building initiatives for CSOs, particularly those in rural and under-resourced areas.

- Share and strengthen available resources (e.g., legal or research assistance) to improve the quality of civil society submissions. This could be developed through intra-NGO collaboration or collaboration between Parliament and NGOs.

3. Promote intergenerational dialogue and youth inclusion

- Institutionalise youth parliaments and mentorship programmes linking former and senior MPs with younger activists.

- Recognise and support youth-led initiatives in both funding and policy forums.

4. Create a social compact framework

- Develop thematic social compacts (e.g., on GBV and climate) that define the roles of Parliament, civil society and government departments.

- Embed co-governance principles into standing rules of Parliament and committee operations.

5. Improve feedback and follow-up mechanisms

- Require all parliamentary committees to report back on committee decisions and actions taken, including written responses to public submissions.

- Include civil society representatives in post-legislative scrutiny and monitoring processes.

6. Recognise local and community knowledge in policy-making

- Institutionalise the inclusion of traditional, indigenous and community knowledge as valid and relevant inputs in legislative and regulatory processes.

- Create channels for frontline communities—particularly those affected by climate change and extractive industries—to provide input early in policy design, not only at consultation stages.

Conclusion

The Decode project has illuminated the tensions, challenges, possibilities and enduring promise of South Africa's participatory democracy. While structures for civil society engagement exist, the lived experience of activists and community organisations shows that these mechanisms are often inaccessible, inconsistent or ineffective. Interviews with civil society activists have exposed systemic barriers, from information asymmetries and capacity gaps to the tokenistic nature of many public consultations.

Yet, Decode also revealed a remarkable resilience and ingenuity within South African civil society. From gender justice to climate advocacy, citizens are not only demanding accountability—they are shaping legislation, building alliances and redefining the meaning of democratic participation. A stronger, more responsive Parliament—rooted in a renewed social compact—can unlock the transformative potential of this engagement.

Decode's research highlights the strategic and impactful role played by a new generation of activists—many of whom were born after 1994—in shaping key policy debates. These activists, described as "born frees," have grown up in a democratic society yet are deeply critical of its shortcomings. Their activism reaffirms the enduring strength of South Africa's participatory culture.

Moving forward, the lessons from Decode must inform the work of the seventh Parliament and the broader governance ecosystem. In defending our constitutional democracy, the path forward lies in deeper collaboration, greater inclusion, and sustained public engagement.

REFERENCES

Bohler-Muller, N., Steyn Kotze, J., Houston, G. and Olorunju, N. (2020, December). *Requirements for transforming the civil society sector in South Africa,* research report. Developmental, Capable and Ethical State Research Programme, Human Science Research Council/National Development Agency.

Institute for African Alternatives (IFAA). (2024–2025). *Interviews with members of Parliament and civil society* [Unpublished Decode project transcripts].

Judicial Commission of Inquiry into Allegations of State Capture (Zondo Commission). (2022). *State capture report*. Republic of South Africa. https://www.statecapture.org.za

National Development Agency. (2021, September). *Dialogue Report: Civil Society Organisations Funding Mechanisms in South Africa*. NDA Research Unit, Johannesburg.

Ngudu, S. and Motala, S. (n.d.). *Typologies of civil society in South Africa: a critical review and analysis of the characteristics of the non-profit sector*. (2020). Human Sciences Research Council/Kagiso Trust.

Republic of South Africa, Department of Women, Youth and Persons with Disabilities. (2020). *National strategic plan on gender-based violence and femicide*. https://gbvf.org.za/publications/nsp-2020-2030/

INTERVIEWS

***Yunus Carrim**, former Minister and Deputy Minister, Chair of several Portfolio and Select Committees. Interviewed 25 April 2024*

***Faiez Jacobs**, former MP. Interviewed October 2024*

***Lisa Makaula**, Green Connection. Interviewed 17 March 2025*

***Sibusiso Mazomba**, African Climate Alliance. Interviewed 13 March 2025*

***Siya Myeza,** Greenpeace Africa. Interviewed 13 March 2025*

***Bayanda Ndumiso**, Triangle Project. Interviewed 30 April 2025*

***Caroline Peters**, Callas Foundation. Interviewed 30 April 2025*

***Sehaam Samaai**, Commissioner at the Commission for Gender Equality. Interviewed 19 March 2025*

***Katlego Sepotokele**, Triangle Project. Interviewed 30 April 2025*

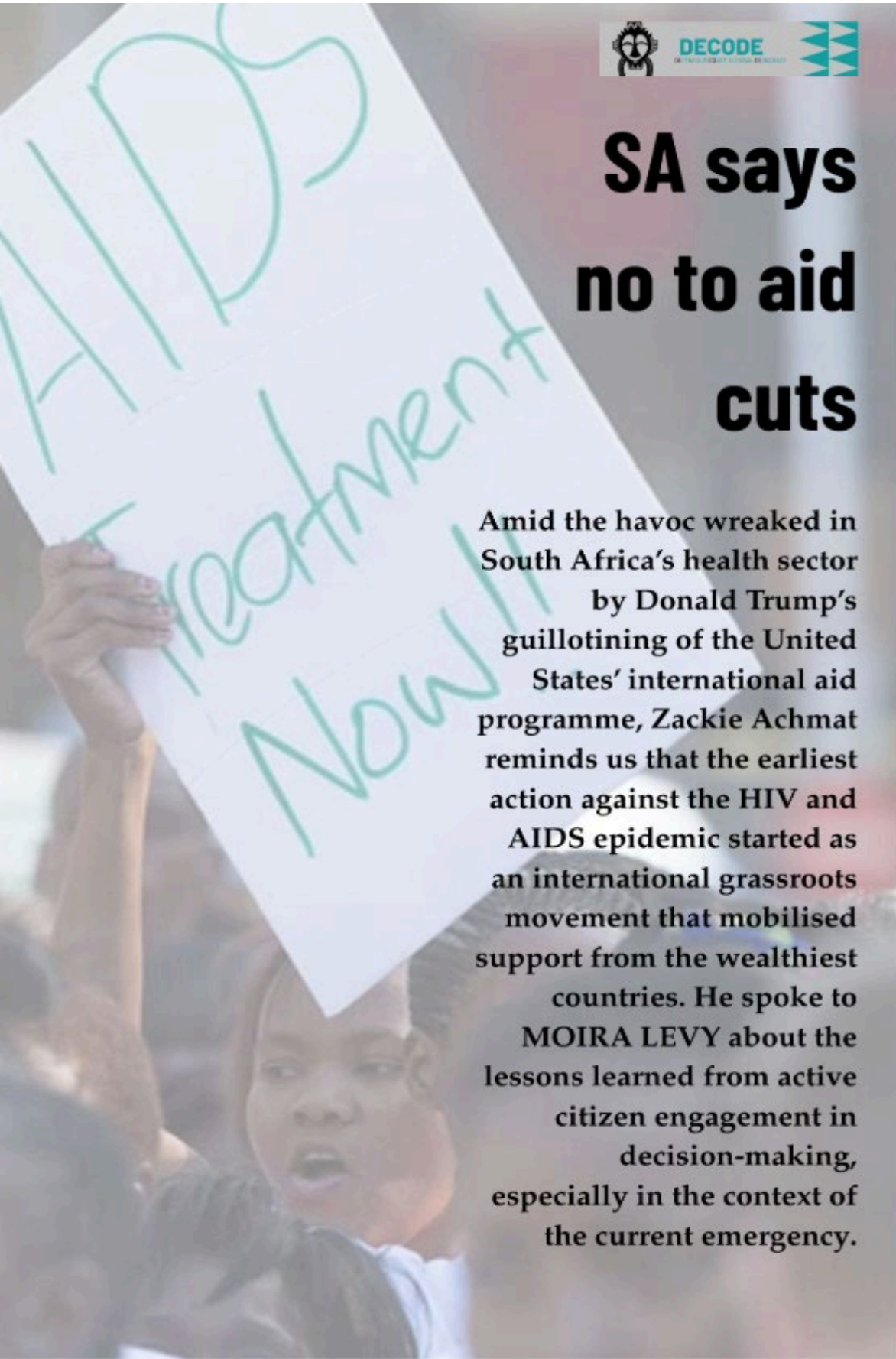
***Lechesa Tsenoli**, former Deputy Speaker to Parliament. Interviewed 3 October 2024*

BIOGRAPHIES

Nazeema Mohamed is a Programme Consultant at the Institute for African Alternatives (IFAA) and serves on the Council of Cape Town University. Prior to that she was Executive Director of Inyathelo: The South African Institute for Advancement. She has extensive experience as a consultant on diversity and inclusion and has served on several ministerial committees on higher education policy.

Bruce Kadalie is the Research and Events Coordinator at the Institute for African Alternatives and runs its Forums project, which aims to foster community engagement and knowledge sharing.

Rachael Nyirongo is Research Services Manager at the Institute for African Alternatives (IFAA), and is currently leading the Young Climate Voices Project. She has Masters of Laws in both International Law and Human Rights Law.



SA says no to aid cuts

Amid the havoc wreaked in South Africa's health sector by Donald Trump's guillotining of the United States' international aid programme, Zackie Achmat reminds us that the earliest action against the HIV and AIDS epidemic started as an international grassroots movement that mobilised support from the wealthiest countries. He spoke to MOIRA LEVY about the lessons learned from active citizen engagement in decision-making, especially in the context of the current emergency.

Introduction

Zackie Achmat, prominent human rights and AIDS and HIV treatment activist since the 1980s, has kept a low profile in the past few months. That is until he reemerged in May in a fairly dramatic disruption of a Health Portfolio Committee meeting at Parliament. Ignoring the chair's repeated instruction to take his seat, he called on Committee members to put pressure on the government to address the terrifying consequences of the abrupt withdrawal of the US President's Emergency Plan for AIDS Relief (PEPFAR) funding from the health sector in South Africa and across the developing world.

We hadn't heard from Achmat for more than a year since the run up to the 2024 national and provincial elections when he campaigned for a seat in Parliament as an Independent. He didn't win, but that clearly hasn't stopped him.

Now he stands at the forefront of an international call for government action as part of a delegation from the Global HIV Treatment Coalition. The matter on the agenda for that Portfolio Committee meeting was a briefing from the National Economic Development and Labour Council (NEDLAC) on its inputs on the Tobacco Products and Electronic Delivery Systems Control Bill. But before any of that could get underway Achmat rose to his feet. He made it clear that he had no wish to disrupt the Committee proceedings, only his organisation had still not received a response to a letter they sent a month before requesting the parliamentary committee to respond to the impact of US funding cuts on HIV treatment programmes. Meanwhile, patients were suffering and dying, he said.

Chairperson Sibongiseni Dhlomo confirmed that the Committee had received the letter, and was awaiting further information and guidance from the Department of Health before convening a meeting on the matter. And he called on the Department to issue a statement. Achmat attempted to speak three more times until, amid grumblings from Committee members who demanded a halt to the disruption, he and his delegation were unceremoniously sent packing.

Achmat's performance was reminiscent of his earlier activist days after he launched the Treatment Action Campaign (TAC), which was part of a world-wide wellspring of grassroots political advocacy that ultimately, directly and indirectly, resulted in the formation of the Global Fund to Fight AIDS, TB and Malaria and the saving of billions of lives.

Two days later, the Health Portfolio Committee met with the Minister of Health, Dr Aaron Motsoaledi, who delivered a presentation on "The status of the HIV/AIDS and TB Campaign in South Africa: The aftermath of PEPFAR withdrawal". And just a week after that the Committee had a follow-up online meeting with Achmat and his colleagues in which the chairperson thanked him for his contribution.

I asked him how it felt to be back in the game, suggesting that perhaps the seat in Parliament where he would feel most comfortable was in the public gallery as an activist. I had a sense he may agree with me, but he reminded me of the reasons he had stood for Parliament, among them the hope that he could play a useful role as an independent voice in Parliament's National Assembly and its committee system.

Failure of global representative democracy

In our interview, Achmat reflected on the importance of Parliament including genuine public voices. "This has become all the more important given the current depth of global dissatisfaction with representative democracy -- and not simply dissatisfaction, but total despair and anger. All of us must reclaim our public institutions, particularly our legislators -- Parliament, Congress, the Knesset, and so. They are not the only instruments of democracy, but they are fundamentally necessary, democracy cannot exist without them.

"Similarly we have to create a democratic process in global institutions," he said. Referring to the Pan-African Parliament, which is located in Johannesburg, he bemoaned civil society's failure to engage with that institution, "which is sad because it should be central to dealing with questions of the global political economy, of unequal exchange and unequal trade. It should be central in dealing with the Trump emergency.

"Yet the Pan-African Parliament is doing nothing on those questions and broader civil society is absent from that field, leaving it occupied by the powerful, the corporations, the imperialist countries. By us leaving the field empty, we are leaving their hands untied. We're not regulating their participation through a pan-African representative institution."

Declaring his support for South Africa's Government of National Unity (GNU), he said the decline in ANC support in the May 2024 election was welcome because it created the opportunity for "greater intervention" in parliamentary processes.

"Not that we have made any use of it," he noted. "The duty of the Left in dealing with the Government of National Unity is to put the pressure on it for social democratic reforms. As the Left we have failed to put pressure on political parties, we have failed to address the constituents of those parties."

Role of Parliament

Achmat suggested what may be necessary, "from a radical social democratic perspective," is the creation of a political "front" comprising independents and the small political parties "and anyone else who wishes to join" to put pressure on the other councillors to work with radical social democrats. Critical for its success would be "serious support from outside," namely the research and other skills and capacities found in civil society.

He emphasised that such political interventions would need to be made at all levels of government -- "there has to be a continuum from local [to] provincial and

'There's no way that we can fix Parliament, or the country, without addressing Parliament from below.'

national" – and believes it is crucial to put pressure on Parliament, he said – "because ultimately it has power over the Executive, and not simply the Executive, but over all private power in the country. Parliament could call in the Chamber of Mines, it could call in the private health sector and say 'what's your contribution?'".

He quotes Lenin who argued in *Left-Wing Communism: An Infantile Disorder* that it is essential for any movement of the Left to have at least one representative in Parliament, to push a radical socialist agenda and keep the powerful on their toes.

"It is necessary to put forward a programme to expose those who cannot deliver or those who are willing to oppress and repress and extract surplus from working-class people."

Achmat believes there are individuals in the House and Committee meetings who are willing "to do, as MPs, what I did, though maybe without the screaming … who will stand up in the committee and say 'we are not paying attention to this'.

"We need to find one or two MPs who are willing to stick their necks out because they believe that there needs to be budgetary reform, or that global social public goods need to be addressed, that the debt crisis locally, on the continent and globally need to be tackled.

"We have so many tools at our disposal to engage the public."

Achmat referred to the importance of constituency offices in parliamentary and municipal work. He expressed some reservations about just how many functioning constituency offices there are and how many MPs actually do constituency work, but nevertheless argued, "it is the constituents who should put their demands to the MPs. We shouldn't wait for the MPs to engage the constituency. It is the people who have to demand 'where are our MPs? Why aren't you holding townhall meetings?'"

Role of civil society

He makes the point that it is up to citizens to keep a watching brief on councillors, and that must continue throughout their terms of office. We should not be turning to the courts for help when our representatives fail to deliver, or revert to what Achmat calls "radical abstentionism".

He believes civil society movements "in an urgent manner" need to identify five or six communities in each province to address the question of municipal power. They must ensure that municipal councillors escalate citizens' demands to provincial legislators and that pressure is consequently exerted on national MPs to raise the communities' issues in Parliament.

"There's no way that we can fix Parliament, or the country, without addressing Parliament from below. It's about being accountable and making the Constitution and Parliament the tools of the people to better their lives."

Achmat talked at some length about the different forms citizen participation in legislative decision-making could take, all the time emphasising the importance of what he called the communities' "knowledge base", which is drawn from their lived day-to-day experience. Those on the ground are best qualified to direct their representatives when it comes to the provision of social services to effectively meet basic needs.

The community knows where a pedestrian crossing should be placed, for example. "Not where the Council or the councillor or the head of the traffic department say we need it. After consulting a community, councillors would know how to deal with traffic and how to protect pedestrians and how to make a township or a CBD pedestrian-friendly and people-friendly. The knowledge base that the community has must be stronger than the knowledge base of the councillor, must supplement that of the councillor and the community must help the councillor."

He reminds us that public representatives "are not the implementers. The bureaucracy is, and in order to deal with the bureaucracy, we need to use the multiple tools [we have] in the sense of approaching MPs, approaching MPLs (Members of Provincial Legislature), approaching councillors."

The point he is making is that our elected leadership can only meet its mandate to be accountable, address communities' needs and meet citizens' demands if we engage actively and effectively with them.

Withdrawal of US aid

Achmat founded the Treatment Action Campaign (TAC), which became part of a world-wide wellspring of grassroots political advocacy that resulted in the Global Fund to Fight AIDS, TB and Malaria and the saving of billions of lives. He reminds us that the earliest efforts to access HIV treatment and halt the AIDS epidemic started as an international grassroots movement of citizens from different parts of the globe that forced the richest countries to make medicines for these devastating but treatable conditions more affordable and accessible, especially in countries that desperately needed them.

It pushed the US into a position where former president Bill Clinton had declared HIV and AIDS a national security emergency and then-president George W. Bush in 2003 launched the US President's Emergency Plan for AIDS Relief (PEPFAR)

"All that was what the movement did. It has been the most successful sustained programme of keeping people alive, while building health care systems throughout our continent and beyond," including Vietnam, Laos, in India and Nepal, Central America, the Dominican Republic, Chile, Malaysia. "It created a truly global set of institutions that came out of global, democratic, public pressure. That movement ensured that HIV prevention and treatment became a global social and public good. These programmes came from people's power."

The World Health Organization (WHO) was the first to declare that essential life-saving medicine was something that countries should be able to afford. To make this enforceable TAC and others launched a campaign to pressure the world body to include all life-saving drugs in its Essential Medicines List (EML), demanding that the prices of these medications be reduced so that all countries could access them.

'It created a truly global set of institutions that came out of global, democratic, public pressure. … These programmes came from people's power.'

'Now we sit with a situation where literally 20 million people have been placed on death row by Donald Trump.'

They consulted the whole gamut of civil society from the International Confederation of Free Trade Unions (ICFTU) to the World Council of Churches, as well as international and local business organisations (one of the first HIV programmes in South Africa was set up by Anglo-American to provide antiretrovirals to miners).

Today there is now a real possibility of ending the epidemic for good, at least in some parts of the world. In South Africa the rate of infection has come down significantly because this country has five and a half million people on treatment. The advent of pre-exposure prophylaxis (PrEP) is now available in the form of a twice-a-year injection.

"The tools are there to end the epidemic," say Achmat, but he cautions we are not there yet. What is urgently needed right now are mass information and sign-on campaigns targeting the numbers of vulnerable people who do not yet have access to the PrEP treatment. While the pool of infection has shrunk significantly, 50,000 people a year still die of AIDS-related illnesses.

In addition, people like Achmat himself who are on long-term antiretroviral treatment, whose viral loads have been much reduced or are even undetectable, are at increased risk for serious co-morbidities resulting directly from HIV itself or as side effects of certain antiretroviral drugs. These can include cardiovascular, renal, liver and bone diseases, certain cancers, metabolic and neurological conditions and mental disorders. Due to their higher risk of comorbidities, individuals on antiretrovirals need regular health screenings and appropriate management and treatment for any developing conditions.

This means that disrupting HIV treatment at this time threatens to upend all that has been achieved.

Achmat was blunt about the consequences of America's abrupt and catastrophic withdrawal of crucial aid. He warned that the majority of the people whose access to antiretrovirals has been disrupted will, in all likelihood, be dead by the end of Trump's five-year term in office.

It is not only the hundreds who will die that he is concerned about. There are many thousands more living in the impacted communities who will bear the

consequences. Unlike Covid, for example, which kills 1% of those infected, AIDS has a 99% mortality rate when people are denied treatment.

As he points out, AIDS patients take time to die. “Within six months of coming off your medicines you start getting ill. Within a year you become desperately ill.” During that process there are interminable admissions to hospitals, “or you get sent home to die,” said Zackie. The massive burden on hospitals and local health services, already weakened by persistent inequities in the health services, has been intensified by the closures of health clinics, retrenchments of health workers and closing down of HIV treatment programmes.

“The impact on households, on families, who suddenly have to take care of children because their mom doesn't recognise them because of AIDS dementia is huge. These pose very real questions which parliamentarians and governments are not engaging with.

“An HIV movement needs to be created that deals with all those questions. [It would] not be starting from the beginning because we have a powerful platform from what we have already achieved, but [we have] to go forward. Now we sit with a situation where literally 20 million people have been placed on death row by Donald Trump.

“Therefore global funds are essential,” said Achmat. Moreover, in the face of growing catastrophic emergencies, such as climate change-created disasters for example, even wealthy countries will require emergency funding transfers.

In short, he argues, the international architecture of grants and funding will need to be thoroughly restructured so that global public goods can be redistributed to where ever they are needed, “and rather than aid, we will have international solidarity and public goods will be shared by all of us.”

BIOGRAPHY

Former journalist, long-standing media manager in the NGO sector and for a time Content & Information Manager in Parliament’s Communications Department, Moira Levy is Production Manager at IFAA, responsible for New Agenda: South African Journal of Social and Economic Policy.

70 years on 'the Freedom Charter is not irrelevant – it is unfinished'

-By Ari Sitas

At an IFFA workshop to bring together academics from all Cape Town's universities, ARI SITAS asked if the Freedom Charter, particularly its economic clauses, are still fit for purpose?

Introduction

When the Freedom Charter was adopted in 1955 in Kliptown, it was more than a political manifesto — it was a transformative social contract drafted, as Congress leadership claimed, by ordinary South Africans from all walks of life. Here, Ben Turok, the founder of this Institute, had a big task in collating the material gathered from many working groups on the "ground."

The two economic clauses—*"The People Shall Share in the Country's Wealth"* and *"There Shall Be Work and Security"*—were particularly powerful because they addressed not only political exclusion under apartheid, but the deep economic dispossession that had long defined black life in South Africa.

These clauses confronted a system where the economy was crafted for the benefit of a white minority. The Charter called for the "national wealth" of the country, particularly the gold and mineral riches, to be "restored to the people." This was not just about ownership on paper — it was a demand for transformation in who controlled the means of production, land and industry. It implied a redistribution of power, not just a redistribution of income.

Similarly, the call for *work and security* was grounded in a clear sense of economic justice: everyone should have the right to work, to fair wages, to rest, to maternity leave, to pensions — in short, to a life of dignity. In a country where cheap black labour had long been exploited to generate white wealth, this was a radical declaration of intent.

In my conversations with Ben Turok, he insisted that what made these ideas so powerful was that they were not "just slogans" — they came from real grievances. They were, he insisted, the collective voice of miners, domestic workers, factory workers and the unemployed. People who knew that liberation without jobs, without safety nets, without control over natural resources, would mean the continuation of inequality under a new flag.

Criticisms of the Charter's economic proposals at the time

From the beginning, these economic demands were contested. The apartheid regime and its business allies labelled the Charter's economic clauses as Marxist, communist, socialist, and dangerous. They seemed afraid that redistributive justice would threaten their accumulated privileges. The Charter was banned. Meetings about it were raided. People were arrested for carrying it.

Even within the liberation movement, there was disagreement. Some felt that the wording of the clauses was too vague. Critics from groups like the Pan Africanist Congress believed the Charter failed to prioritise African ownership of the economy —

they saw the idea of "the people" as too broad, diluting the focus on the black majority's rightful claim to the land and wealth.

Steve Biko did not ignore the Charter but he also did not fully endorse it. He was concerned that it was too close to the ANC's "multiracial" or "non-racial" approach to liberation politics. He felt that it was too accommodating to white liberals and non-African interests. Yet he did not engage with the economic clauses as such!

On the broad left, there were those who viewed the Charter as not going far enough. There was concern that its calls for redistribution stopped short of full-scale nationalisation and/or dismantling of the capitalist system. In their view, it left too much room for compromise with the very economic system that had fuelled apartheid.

Yet perhaps the most persistent criticism over time has come not from opponents in 1955, but from the legacy of implementation. The gap between the Charter's vision and post-apartheid economic policy — particularly the adoption of market-friendly approaches in the 1990s — has led some to argue that the Charter's radical economic promise was never fulfilled or that it was vague enough to allow self-interested pretenders to claim that it was.

Despite all this, it was taken seriously — and found expression in the Constitution

Despite the criticism and repression, the Freedom Charter remained central to the identity and strategic orientation of the ANC and the Alliance. When South Africa transitioned to democracy, the Charter was not discarded — it was, in many ways, enshrined.

You can trace its influence directly in the statutory system that emerged. The Constitution's Bill of Rights affirms the rights to fair labour practices, access to housing, health care, food, water and social security.

Now, it's true that the Constitution does not call for nationalisation or a mandate to construct a specifically alternative economic system. And the ANC's policy choices in government — from GEAR to the current mixed-economy model — reflect a more cautious approach than the Charter's wording might suggest.

The economic clauses remain an invitation — not to nostalgia, but to serious thinking and praxis.

But the symbolic and ideological power of the Charter has endured. It framed the moral vision of the democratic project. It kept economic justice on the table, even when policy took a different turn.

Relevance for a new generation of black thinkers:

Today, 70 years later, we must ask: what do these two clauses mean to a new generation of black South Africans?

For many, they remain profoundly relevant — perhaps more than ever. South Africa is one of the most unequal countries in the world. Youth unemployment is above 50%. Wealth remains highly racialised, with asset ownership still concentrated in the hands of a small, largely white elite. While there is a black middle class and a politically empowered black elite, the structural economic legacy of apartheid endures.

A new generation of thinkers — from activists in movements like #FeesMustFall to scholars, public intellectuals, and community organisers — are grappling with its legacy. Hopefully like us, they are interrogating it. Are they also asking: why did this powerful economic vision not materialise? Where did the implementation fall short? Was justice traded for stability?

The calls for shared wealth and secure work to challenge neoliberal orthodoxy, to arguments for wealth taxation, the insistence on universal basic income grant, and arguments for new forms of ownership, including cooperatives and community trusts.

For some, the Charter was a grand mistake since its inception. For many, it is not irrelevant — it is unfinished.

Closing Reflection

The Freedom Charter gives us also the right to wrestle with it. As we mark 70 years since its adoption, we must ask the hard questions. Not just about what it promised, but about what still needs to be done. The economic clauses remain an invitation — not to nostalgia, but to serious thinking and praxis.

They ask us, once again: What does it mean for the people to truly share in the country's wealth? What would real work and real security look like — today, for millions left behind?

The answers may not be easy, but they remain essential.

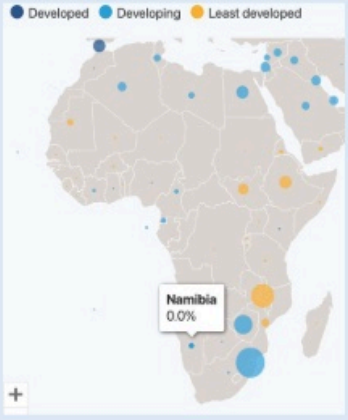
BIOGRAPHY

Ari Sitas, Acting Director of IFAA, Emeritus Professor was the former head of the Sociology Department, University of Cape Town. He is a writer, dramatist, musicologist, activist and poet. He holds an honorary professorship at the Open Africa Institute at the University of Stellenbosch, was a member of the Scientific Committee of UNESCO's World Humanities Report and a Fellow at Université Paris Cité. Prof Sitas was awarded the Order of Mapungubwe by the South African Presidency in 2019.

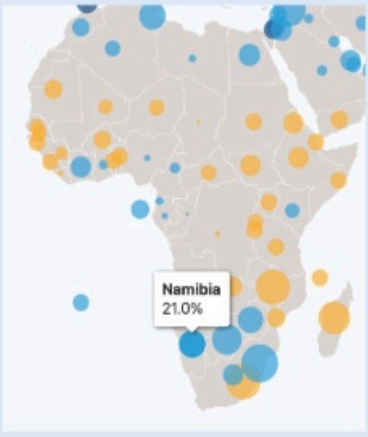
Africa Diary

News from the continent
1 March to 31 May 2025

A selection of events about, and from across, the continent that are significant or interesting, or both. Compiled by the New Agenda Editorial Collective at the Institute for African Alternatives, we welcome contributions for ideas on what to include.



US tariffs before January 2025



US Tariffs after the "90 day pause

Planned US tariffs are disruptively high for many vulnerable economies

Trade-weighted applied tariffs on US imports if all new tariffs, including country-specific ones, are applied

Source:
https://unctad.org/news/mapping-size-new-us-tariffs-developing-countries
using COMTRADE data and Executive Orders published by the White House

The incoherent trade policy of the United States moved into uncharted territory in April with the announcement of illogical and destructive tariffs that sent shock waves across the global trading systems. Africa, with the rest of the world, will be profoundly harmed. African countries have often been victims of the globalised economic order, and in ways that make them even more vulnerable to its disruption. Chaotic and unpredictable tariff 'pauses', intensifications and exemptions have been announced week after week, further unsettling an already unstable economic and geo-political environment.

May

30 May: The Kenyan police arrested a young software developer, Rose Njeri, who created a website to help citizens understand some negative features in the Finance Bill 2025. She was later charged under the Computer Misuse and Cyber Crime Act. This was because the website allowed concerned citizens to send a computer-generated e-mail to Parliament—"interfering with the normal functioning of the official systems of the finance committee". She was held in jail for four days and then released on bail of 100,000KSh (approx. R14,300). The Kenyan Parliament normally encourages citizens to "Get Involved". All bills are efficiently published online for public scrutiny. Its website says: "Every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation." And it even has a facility online to upload petitions. President Ruto withdrew the 2024 Finance Bill following violent protests in which many people were shot by the armed forces.

26 May: Ngũgĩ wa Thiong'o died aged 87 in Atlanta, Georgia, USA.

13 May: Just Share, a Cape Town-based NGO, released a report showing that South Africa's major polluters have succeeded in persuading government to roll back progressive climate-related policy initiatives. Eskom, the state-owned power utility, is the highest contributor of greenhouse gas (GHG) emissions in South Africa. The biggest private greenhouse gas emitter is Sasol. The views of other significant polluters are represented by Business Unity South Africa (BUSA) and the Minerals Council South Africa (Mincosa). Industry pushback has achieved delays and concessions which have neutralised the impact of the carbon tax, which was legislated in 2019.

6 May: Three days after World Press Freedom Day, Zimbabwean journalist Blessed Mhlanga was finally granted bail (this was his fourth attempt) and released from prison. Mhlanga was arrested in February on a charge of incitement after he reported that a person he interviewed had called for President Emmerson

Mnangagwa to resign. Zimbabwe, a "difficult" country for journalists has nevertheless shown recent steady improvement according to the World Press Freedom Index, where it ranks at 106 in the world. The lowest ranking country in Africa (and the world) remains Eritrea –ranked at 180.

2 May: A graduate of the University of Pretoria, who was awarded a master's degree in Human Rights and Democratisation in Africa in 2002, was jailed for six years and four months after being convicted of enslaving a young Ugandan woman in the United Kingdom. Lydia Mugambe, worked with a contact in the Ugandan High Commission to arrange a visa for the victim, under the guise that she would be working in the household and office of the High Commission. However, once she arrived in the UK, the victim was transported to Mugambe's home in Kidlington, Oxfordshire where she was forced to work unpaid as her maid and provide childcare. The prosecutors agreed this was a case of modern slavery.

April

Some of the leaders at the 1955 Bandung conference: Jawaharlal Nehru (India), Kwame Nkrumah (Ghana), Abdel Nasser (Egypt), Achmed Sukarno (Indonesia) and Josip Tito (Yugoslavia).

24 April marked the 70 year anniversary of the Bandung conference of Asian and African leaders, which was held amidst the post-war transition from colonial rule to independence. This landmark conference was hosted by Indonesia (which was recently liberated after a bloody revolution against the Dutch). It paved the way for the creation of the Non-Aligned Movement.

21 April: Semia Gharbi, a Tunisian scientist and environmental educator, was the African winner of the 2025 Goldman Environmental Awards. She helped spearhead a campaign that challenged a corrupt waste trafficking scheme between Italy and Tunisia, resulting in the return of 6,000 tons of illegally exported household waste back to Italy, its country of origin, in February 2022. More than 40 corrupt government officials and others involved in waste trafficking in both countries were arrested in the scandal. Her efforts spurred policy shifts within the European Union, which has now tightened its procedures and regulations for waste shipments abroad.

18 April: Two months after a tailings dam collapsed at a Chinese-owned mine in Zambia, polluting the Kafue River with acid waste, very little appears to have been done in response to the disaster. Freeman Chiwele Mubanga of the Centre for Environmental Justice in Lusaka told the 'China in Africa' podcast that "there's no assurance on the restoration of the ecosystem in the Kufue River, given the damage that has happened". Pollution experts have detected dead fish and contaminated water 100km downstream from the spill. "…[B]oth sides are to blame. There was negligence in terms of monitoring and there was also negligence in terms of maintenance of the tailings dam by the company." But there has been no mention of any tangible sanctions, which would require restoration of the damage.

12 April: General elections in Gabon marked a return to 'civilian rule' and 'democracy' when Brice Oligui Nguema was elected president. He had previously been the military ruler of Gabon and led the coup in 2023 that unseated Ali Bongo and his immediate family. Brigadier General Nguema became a civilian in order to run in the elections – under a new constitution and electoral code to ensure his easy victory. He is a member of the extended Bongo family who have ruled over Gabon since 1967.

10 April: The International Court of Justice (ICJ) began public hearings at the Peace Palace in The Hague in the proceedings instituted by Sudan against the United Arab Emirates (UAE). Sudan contends that the UAE "is complicit in the genocide on the Masalit [group in West Darfur] through its direction of and provision of extensive financial, political, and military support for the rebel RSF militia". The Rapid Support Forces (RSF) and militias allied with it are said to have killed and harmed members of the group and have inflicted on them conditions of life calculated to bring about its physical destruction in

whole or in part. (In May, the ICJ judges voted by 14 to two to declare they had no jurisdiction).

9 April: Tundu Lissu, the opposition leader in Tanzania, was arrested and charged with treason. Three days later, his party (The Party for Democracy and Progress, commonly known as Chadema) was disqualified from the national elections due to take place later this year. Tanzania's ruling party, Chama Cha Mapinduzi (CCM), has governed the country uninterrupted since independence from Britain in 1961. The country was a one-party state until 1992 – and it retains laws that give an unassailable advantage to this longest ruling party in Africa.

1 April: Shirley Ayorkor Botchwey, the former Ghanaian Minister for Foreign Affairs and Regional Integration, became Secretary-General of the Commonwealth. She is the first African woman – the second African overall – to lead the association of 56 countries, which make up a third of the world's population and more than a quarter of the United Nations membership. Twenty one African countries belong to the Commonwealth, most of them former colonies of Britain. Zimbabwe is no longer a member. Gabon, Mozambique, Rwanda and Togo have been allowed to join.

Hon Shirley Ayorkor Botchwey, former Ghanaian Minister for Foreign Affairs and Regional Integration, assumed office as Secretary-General of the Commonwealth.

March

Netumbo Nandi-Ndaitwah, the first woman president of Namibia. *Source: Flickr*

21 March: Netumbo Nandi-Ndaitwah, known as NNN, was inaugurated as the first woman president of Namibia. The Electoral Commission of Namibia (ECN) awarded her 58% of the vote after a mismanaged and distorted election process marked by voter frustration, ballot shortages, as well as accusations of voter suppression. Her party, SWAPO, which has governed since independence in 1990, saw its formerly large majority cut to just 51%, according to the contested results. Nine ministers of the former government failed in their campaigns for re-election.

13 March: The Bisie tin mine in the Eastern Democratic Republic of Congo (DRC), the third largest tin mine in the world, temporarily ceased operations and evacuated most of its staff just a week before the M23 rebel movement occupied the nearby regional capital town of Walikale, 125km north-west of Goma. While majority owned by North American investors, Bisie is one of the “flagship investments on the continent” for South Africa’s state-owned Industrial Development Corporation. IDC owns 11% and the DRC government 5%.

MIGRATION IN SOUTH AFRICA

CONFLICTS & IDENTITIES

EDITED BY
EDDIE M. RAKABE
CHRIS C. NSHIMBI

MAPUNGUBWE
INSTITUTE FOR STRATEGIC REFLECTION
A MISTRA Publication

Migration in South Africa: Conflicts and Identities

Eddie M. Rakabe and Chris C. Nshimbi

Review by Alan Hirsch

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Eddie Rakabe and Chris Nshimbi have assembled an interesting collection of chapters dealing with the broadly common theme of the complexity of responding to and managing migration in South Africa today. Some of the chapters are essays, contesting ideas in the context of existing knowledge, while others add to the stock of knowledge itself, presenting on original research.

The sudden influx into South Africa of Zimbabwean migrants in 2008 and 2009 and the emergence, in the same period, of virulent anti-migrant rhetoric and violent anti-migrant actions brought the issue of migration policy to the fore. Since then, it has seldom been out of the frame of South African politics.

As in many other countries, elections in South Africa are now accompanied by an assortment of wild claims about migrants. Politicians are expected to project anti-African migrant attitudes, even if they sometimes prefer to signal their position in oblique ways. Finding the balance between reassuring the insecure and vulnerable citizens and following sensible developmental policies is hard to achieve and even more difficult to articulate. So far, the current Minister of Home Affairs has so far managed this balancing act unusually well.

Vusumzi Gumbi points out that anti-migrant sentiments are more likely in societies with high levels of poverty, inequality, and specifically in South Africa's case, spatial injustice. He argues that the use of the term 'xenophobia' can be misleading—it is not 'the other' or 'the stranger' as such who is feared, but the impact of competition from outsiders for limited resources.

This will remind some readers of President Thabo Mbeki's resistance to the term 'xenophobia'. At the time I was tempted to share the view that Mbeki was being pedantic. Having thought about the use of the term in my own work I am now sympathetic to the distinction. There is clear evidence from in-depth research that foreigners are not hated for being foreigners except in the case of some older and less educated South Africans; younger, relatively more educated South Africans who are poor nevertheless resent what they see as unfair competition from irregular migrants

(Chikohomero, 2023). This combination of resentments is vulnerable to manipulation by unscrupulous politicians.

Nshimbi, in his essay on mobilities in Southern Africa, notes that the migration patterns in the region have deep historical roots. Unlike the myth of ever-migrating Africans, most Africans in pre-colonial societies were sedentary, but there were patterns of mobility in the Southern African region that predated colonisation. As he and Rakabe put it in the introductory chapter: "Southern Africa boasts a long history of human interaction and migration that predates the Westphalian state and is defined by strong relationships between ethnic groups who transverse the nation state borders of the countries of the region."

The central fact of colonisation in Southern African was the forced migrant labour that underwrote the provision of cheap labour for mines and farms and left its scars everywhere. Nshimbi reminds us that Samir Amin, in a landmark essay, referred to East and Southern Africa as '*Africa of the labour reserves*' (Amin, 1972: 503-524, author's italics).

The labour reserves are the focus of Rakabe's thought-provoking and persuasive chapter on the redistribution dilemma arising from regional inequalities within South Africa. Drawing on economic geography, Rakabe explains how difficult it is to effectively counter the spatial inequalities caused by apartheid's migrant labour system. The result, he shows, has been confused, confusing, overlapping and contradictory policies from Special Economic Zones to the District Development Model. The National Development Plan (NDP) ignored the National Skills Development Plan (NSDP) and the Spatial Planning and Land Use Management Act (SPLUMA) ignored the NDP. And so on. The result has been that income inequality remains at levels similar to the apartheid era.

Sifiso Ndlovhu, in an articulate essay on "belonging and social cohesion", notes that the failure of South Africa's immigration policy to facilitate belonging and social cohesion echoes the failure of what she calls the "foundational myth of rainbowism" to include everyone. Though she doesn't refer to it directly, the resonance of the "Rhodes must fall" and "fees must fall" protest movements reflected the sense of residual exclusion among the less advantaged of those who managed to access higher education.

… foreigners are not hated for being foreigners … [they] nevertheless resent what they see as unfair competition from irregular migrants.

In contrast, Janet Munakambwe shows how the struggle to include domestic workers under the law which entitles workers to compensation for injury and disease brought the trade unions in behind both local and foreign domestic workers in what was ultimately a successful campaign.

Indeed, just as the chapters of this book vary in form from philosophical essay to number-crunching economics, their perspectives vary too. As the introduction to the book points out, these different perspectives add to the richness of the book and reflect contemporary debates or tensions.

A reader might feel that one or two chapters are weak or at least thin, and she might be amused by the author who quotes his own earlier work as having "convincingly shown" something, and who also included eight of his own papers in his bibliography. She might be surprised that in an otherwise good paper, Ravi Kanbur's and Tony Venables's surnames are repeatedly misspelled. But having read the entire collection she will be satisfied that it is, overall, a valuable contribution to this critical area of work—migration studies in Southern Africa.

REFERENCES

Chikohomero, R. (2023, April 19). *Understanding conflict between locals and migrants in SA: Case studies in Atteridgeville and Diepsloot*. Institute for Security Studies. Southern Africa Report 55. https://issafrica.org/research/southern-africa-report/understanding-conflict-between-locals-and-migrants-in-sa-case-studies-in-atteridgeville-and-diepsloot

Amin, S. (1972). Underdevelopment and dependence in Black Africa—Origins and contemporary forms. *The Journal of Modern African Studies, 10*(4), 503–524. https://doi.org/10.1017/S0022278X00022801

BIOGRAPHY

Alan Hirsch is Emeritus Professor at The Nelson Mandela School of Public Governance at UCT and its founding director. He taught at UCT until he joined the SA Department of Trade and Industry in 1995 and from 2002 managed economic policy in the South African Presidency.

Contact us:

Tel: +27 21 461 2340
www.ifaaza.org

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